SHIEL'S SKETCHES OF THE IRISH BAR

MEMOIRS OF THE LIFE OF THE RIGHT HONORABLE RICHARD BRINSLEY SHERIDAN. By Thomas Moore. Two volumes in one. 12mo., cloth, gold and black, with steel portrait. $1.50.

SKETCHES OF THE IRISH BAR. By the Right Honorable Richard Lalor Shiel, M. P., with Memoir and Notes by R. Shelton, Mackenzie, D. C. L. 12mo., cloth. gold and black, with steel portrait. $1.50.

THE LIFE OF THE RIGHT HONORABLE JOHN PHILPOT CURRAN, late Master of the Rolls in Ireland. By his son, William Henry Curran, with additions and notes by R. Shelton Mackenzie, D. C. L. 12mo., cloth, gold and black, with steel portrait. $1.50.

PERSONAL SKETCHES OF HIS OWN TIMES. By Sir Jonah Barrington, Judge of the High Court of Admirality in Ireland, etc., etc. 12mo., cloth, gold and black, with illustrations by Darley. $1.50.

'98 and '48. THE MODERN REVOLUTIONARY HISTORY AND LITERATURE OF IRELAND. By John Savage. Fourth Edition, with an Appendex and Index. 12mo., cloth, gold and black. $1.50.

BITS OF BLARNEY. Edited by R. Shelton Mackenzie, D. C. L., Editor of Shiel's Sketches of the Irish Bar, etc. 12mo., cloth, gold and black. $1.50.

SKETCHES

—OF—

THE IRISH BAR.

BY THE

RT. HON. RICHARD LALOR SHIEL, M. P.,

WITH MEMOIR AND NOTES

—BY—

R. SHELTON MACKENZIE, D. C. L.

TWO VOLUMES IN ONE.

BOSTON COLLEGE
FACULTY LIBRARY
CHESTNUT HILL, MASS.

CHICAGO:
BELFORD, CLARKE & CO.

ST. LOUIS:
BELFORD & CLARKE PUBLISHING CO.

MDCCCLXXXII.

COPYRIGHTED.

BELFORD, CLARKE & CO.,

1880.

PRINTED AND BOUND
BY
DONOHUE & HENNEBERRY,
CHICAGO.

DA951
S542

CONTENTS OF VOL. I.

MEMOIR OF MR. SHEIL ..... PAGE 5
AUTHOR'S INTRODUCTION 17

AN IRISH CIRCUIT.

Going Circuit.—The South of Ireland.—Rules of Legal Travelling.—An Approver.—Lord Avonmore.—An Irish Assize Town.—Larry Cronan's Trial.—O'Connell's Success with Juries.—Trial of John Scanlan for Murder.—Was he executed? 19

HALL OF THE FOUR COURTS, DUBLIN.

O'Connell, Bushe, Lord Plunket, and H. D. Grady.—Curran.—Lord Clare.—Serving Writs in Connaught 58

DANIEL O'CONNELL.

In his Study, in the Four Courts, at a Popular Meeting, at a Public Dinner.—His Personal Appearance.—Merits as a Nisi-Prius, and Crown Lawyer.—Influence with Juries.—As Catholic Leader.—Duel with D'Esterre.—On Circuit.—In Parliament 73

LORD PLUNKET.

His Origin.—Conviction of the Sheareses.—Trial of Robert Emmett.—His Intellectual Supremacy.—Style of his Oratory.—Personal Appearance.—In Parliament.—His Catholic Politics.—Grattan.—Raised to the Bench.—Appointed Lord-Chancellor.—His Enforced Resignation 98

CHIEF-JUSTICE BUSHE.

Descent.—The Historical Society.—An Anti-Unionist.—Solicitor-General.—Catholic Board.—Aspect, Voice and Gesture, as an Orator.—His Conversation, Wit, and Eloquence.—Is made Chief-Justice 121

ATTORNEY-GENERAL SAURIN.

Huguenot Descent.—Lord Clonmel.—Business Habits.—Opposes the Union.—As Attorney-General.—Anti-Catholic Politics.—Loss of Office.—Deportment and Aspect.—Skill as an Advocate.—Distaste for Letters. 150

CHIEF-BARON JOY.

His Tory Politics.—Sympathy with Saurin.—Bar Advancement.—Is made Solicitor-General.—His Legal and Scientific Attainments.—Skill at Cross-Examination.—Character as a Judge 170

3297

CALAMITIES OF THE BAR.

An Unfortunate Lawyer.—Tragic Scene.—Lord Manners.—The French Bar.—Trippier, the Parisian *avocat*.—The Lawyer's Progress.—"MacDougall of the Roar."—Pomposo, a Sketch from Life.—Monks of the Screw.—Jerry Keller.—Norcott, the Renegade, and his Fate..... 186

CHIEF-JUSTICE LEFROY.

A Saintly Lawyer.—O'Connell on Catholic Education.—Lefroy in the Chancery Court.—Captain Rock in Limerick.—Raised to the Bench.. 216

MR. SERGEANT GOOLD.

An Amirable Crichton.—Sows his Wild Oats.—Edmund Burke.—Goold's Nisi-Prius Practice.—His Vanity.—Opposes the Union.—Sir Jonah Barrington.—Goold's Election Evidence.—Is made Master in Chancery. 232

MR. NORTH, JUDGE OF THE ADMIRALTY COURT.

Brilliant University Career.—At the Bar.—Irish Eloquence.—Comparative Failure in Parliament.—Neutrality in Politics.—The Bottle Riot.. 252

MR. WALLACE.

Professional Progress.—High Repute in Jury Cases.—License of the Bar.—Catholic Meeting.—Grattan's last Public Appearance..... 269

WEXFORD ASSIZES.

The Leinster Circuit.—Archbishop Magee.—Bishop Elrington's Anti-Necromantic Movement.—Irish Peasant-Girls.—A Pic-Nic Excursion.—Massacre on the Old Bridge of Wexford.—O'Connell's Triumphal Entry.—Chief-Justice Bushe and Judge Johnson.—Trial of Father Carroll: Monomania..... 287

CHIEF-JUSTICE DOHERTY.

As an Advocate, and Crown-Lawyer.—Judges Perrin and Crampton.—Lord-Chancellor Manners' Inefficiency.—George Canning's Career.—Doherty *versus* O'Connell.—Raised to the Bench.—Declines a Peerage. 311

THE DUBLIN TABINET BALL.

"The Liberty" of Dublin.—An American Marchioness.—Lord Wellesley as Bridegroon and Viceroy.—Sir Harcourt Lees.—"Ireland's only Duke."—Lord Edward Fitzgerald.—Lady Morgan.—The Younger Grattan.—Curran.—"The Tenth."—An Irish Hebe..... 328

CATHOLIC LEADERS AND ASSOCIATIONS.

Confederates of 1642.—Enactment of the Penal Laws.—Catholic Committees.—Wolfe Tone and John Keogh.—O'Connell's first Appearance.—Denis Scully, and Æneas M'Donnell.—Lords French, Fingal, and Killeen.—Doctor Drumgoole.—George IV. in Ireland.—Catholic Association founded.—Bishop Doyle and the Sorbonne Doctors.—Archbishops Troy, Curtis, and Murray.—Bishop Kelly..... 359

MEMOIR OF MR. SHEIL.

Richard Lalor Sheil, author of "Sketches of the Irish Bar," was born at Waterford, in Ireland, in the year 1793. He died at Florence, where he was British Minister, on April 25, 1851, aged fifty-eight.

His father, who had been a merchant at Cadiz, retired on a competence, which enabled him to purchase an estate in the county of Waterford. Returning to mercantile pursuits, he was unfortunate, and died, leaving his sons little more than the means of perfecting a liberal education. One of these sons was Colonel Justin Sheil, yet surviving, who, for several years, was British Ambassador to Persia.

Like O'Connell, who was nearly twenty years his senior, Sheil was originally intended for the Catholic Church. At an early age, he was sent to a Jesuit school at Kensington, near London. He was subsequently removed to Stonyhurst, in Lancashire, whence he went to Trinity College, Dublin, with a competent knowledge of the classics, some acquaintance with Italian and Spanish, and the power of speaking and writing French, as if it were his mother-tongue. His taste for literature and his facility for rhetorical composition were early developed. In the University he won several classical prizes, and was acknowledged to surpass most of his fellow-students in general acquirements. He was a constant and favorite speaker in the celebrated Historical Society (the cradle of Irish eloquence at the time), where the brilliancy and force of his rhetoric always commanded admiration and applause

Then, as ever after, his oratory consisted of more than flowing sentences, for he generalized and applied facts, with rare and remarkable felicity. He graduated before he was twenty years old, and his college comates prophesied that his career would be distinguished.

At this time, and for a few years preceding, he floated on the surface of Dublin society. Small in stature, slight in figure, and eminently vivacious in manner and deportment, he came into society, almost a boy — as Moore had done, some fifteen years earlier — and, like Moore, he gave rise to sanguine anticipations. It was a doubt whether he would subside into a poet or an orator, but every one saw and said that he was marked for distinction. There were great men in Dublin at that time: Plunket, with unequalled powers of eloquence and reasoning; Bushe, silvery-tongued as Belial, but full of captivating amiability; Goold, imbued with a charming *amour propre*, which made you like, while you smiled at the man; O'Connell, in the full strength of youth and power, storming his way to the head of his profession; North, the college rival and friend of Sheil, whose maturity did not fulfil the promise of his youth; Wolfe, afterward Chief-Baron, with the kindest and truest heart throbbing in a gnarly case; and others, more or less distinguished, then or since. At that time, too, Grattan and Curran were the ornaments of intellectual life in Dublin; full of reminiscences of the Volunteers in 1782, and the Reign of Terror in 1798.

It was natural that, amid such men, Sheil, young, ardent, and highly-gifted, should set up a high standard of excellence, to which to direct his own ambitious strivings; and that "Excelsior" should be to him, as to all who worthily aspire, at once a motto and a monitor.

He was barely twenty when, in 1813, he made his first plunge into public and political life. There were divisions among the Irish Catholics then. One section, aristocratic and moderate — who, rather than the clanking should offend the "ears polite" of their rulers, would willingly have wrapped their fetters in velvet — desired to give the British government a Veto on the appointment of the Catholic Bishops, provided

that Emancipation were conceded. The other, democratic and bold, denounced all compromise. Sheil attached himself to the first, while O'Connell headed the latter. Both Tribunes of the People were able and eloquent—but the man, O'Connell, prevailed over the boy, Sheil, and the latter quitted the field, for a time.

In 1814, at the age of twenty-one, Sheil was called to the Irish Bar. His youth was against him, of course. His predilections were in favor of literature, and, for several years, his contributions to the London magazines afforded him the chief means of subsistence. He wrote for the stage, also—excited by the brilliant genius of Miss O'Neil, the Irish *tragedienne*—and his play of "Evadne" still retains a place in the acted drama, by reason of its declamatory poetry and effective situations.

On the Leinster Circuit, Mr. Sheil had to contend (strange as it may appear), with his previous reputation as an orator—for a good point at law is considered better, on account of its weight with the judge, than a brilliant speech, intended to win the verdict of a jury. At the bar, it must be confessed, Mr. Sheil never attained the highest distinction. His legal knowledge was limited, as respects depth and extent. In criminal cases, his eloquence often prevailed with juries, and, as he gradually reached seniority, he also obtained leading briefs at Nisi-Prius. In the Four-Courts, where the metropolitan practice takes place, Sheil eventually came to be considered a passable general lawyer.

In 1823 (as related by himself in the article on Catholic Leaders), he joined with O'Connell, in establishing the Catholic Association, which literally became a sort of *imperium in imperio* in Ireland. In this body, both leaders spoke earnestly and well. O'Connell's *rôle* was to insist on "Justice for Ireland," Sheil's to cast contempt and ridicule upon what was called Protestant Ascendency.

In 1825, both leaders ("*Magnâ comitante catervâ*"), went to London, as part of a deputation, at the time when, the suppression of the Catholic Association becoming a government preliminary, Emancipation—clogged with "the wings," viz,

disfranchisement of the forty shilling freeholders, and state-payment of the Catholic clergy—would have been granted, but for a speech from the Duke of York, heir-presumptive to the throne, in which he made a solemn vow to Heaven, that he would never accede to the concession.

At the general election of 1826, when Lord George Beresford's almost hereditary claims to represent Waterford county in Parliament, were unexpectedly contested by Mr. Villiers Stuart, a retainer to act as counsel for Lord George, was accepted by Mr. Sheil. There was some dissatisfaction, at the time, among the Catholics, at one of their ablest and most trusted leaders acting for a candidate of opposite politics; but O'Connell frankly and publicly did him the justice of saying, that, as a lawyer, Mr. Sheil was, in a manner, bound to act for whoever employed him. As there never was a question of the ability with which he performed his duty on that occasion, so was there never a belief that, in such performance, Mr. Sheil compromised his own principles, or those of his party. The election—thanks to the very forty-shilling freeholders, to whose disfranchisement (as part of the price of Emancipation), O'Connell would have consented, in 1825—ended in the defeat of Mr. Sheil's noble and anti-Catholic client.

The death of the Duke of York, the sworn opponent of the Catholics, took place in 1827, and Mr. Sheil took occasion, during and after his illness, to make some speeches, by no means in good taste, upon the Royal sufferer. About that time, too, he was prosecuted for too much freedom of speech on Wolfe Tone's autobiography, on the Catholic Association (which had risen, more powerful than ever, on the ruins of that which was suppressed in 1825), but never tried.

In the following year (1828), the Catholic Association, in possession of ample funds from "the Rent" which O'Connell had established, determined to resist the re-election of Mr. Vesey Fitzgerald, member for the County of Clare, because, though he had always voted for Emancipation, he had taken office in the Duke of Wellington's Anti-Catholic Government. O'Connell was the opposing candidate, and, after a fierce and exciting contest, he was elected by an overpowering majority

Mr. Sheil warmly and efficiently assisted in this contest (of which his own narrative appears in the second volume); and his speech at its close, eminently practical as well as eloquent, is entitled to rank among his happiest efforts.

In the October following, being in London, it was suggested that Mr. Sheil should speak in advocacy of the Catholic claims at a great Anti-Catholic meeting of the freeholders of Kent He was unable, from the opposition presented to himself and other liberals, to utter more than a single sentence. Having taken the precaution, however, to give a copy of his (intended) harangue to the editor of "the Sun" newspaper, it was published, the same day, as part of the proceedings, and made a great impression on the public mind. Mr. Sheil's own account of the Penenden Heath Meeting, as it was called from the locality where it was held, appears in the second volume.

The Roman Catholic Relief Bill, passed in 1829, was the natural consequence of the Clare Election. It opened a new and enlarged sphere of action to Mr. Sheil, who was now eligible to sit in Parliament. At this time he was only thirty-six years old, with a high reputation, great powers, and immense popularity. Through the influence of Lord Anglesey, he was elected for the borough of Milbourne Port, but he had previously been an unsuccessful candidate for the County of Louth in 1830, for which he was elected in 1831. He was returned for the County of Tipperary in 1832 and in 1835, without a contest, and, against a strong opposition, in 1837. Accepting office in 1838, he was again unsuccessfully opposed. From 1841 to 1850, he represented the small Irish borough of Dungarvan.

In Parliament, the position occupied by Mr. Sheil was immediate, unquestioned, and exalted. In fact, he took rank, at once, as one of the best orators in the House of Commons. He was far from being a ready debater—though some of his extempore replies were quick, reasoning, and acute—but his prepared speeches enchained attention, and won the applause even of his antagonists. He had the disadvantage of a small person, negligent attire, shrill voice, and vehement gesticulation; but these were all forgotten when he spoke, and his sin-

gularly peculiar manner gave the appearance of impulse even to his most elaborated compositions. Words can not briefly describe the character of Sheil's rhetoric: it was aptly said, in the style of his own metaphors, "he thinks lightning."

Mr. Sheil was personally much liked by all parties in the Legislature. In 1834, when he was charged with having secretly and treacherously urged the Minister to carry an Irish Coercion Bill, which the liberal members were publicly opposing, it is doubtful whether his own party, or his opponents, were most rejoiced at his full acquittal.

After his entrance into parliamentary life, his bar-practice in Ireland was almost wholly neglected. In 1844, however, although he had himself avoided participation in the Repeal excitement, he reappeared in the Four Courts, at Dublin, at the State Trials, as advocate for John O'Connell, and delivered a most eloquent speech in his defence, the delivery of which occupied six hours. This closed his professional career.

From his entrance into Parliament, he rather sided with the Whig than the Irish party. In time he had his reward — having been successively a Commissioner of Greenwich Hospital, Vice-President of the Board of Trade, Judge-Advocate General, and Master of the Mint, besides being a Queen's Counsel and Privy Counsellor. Of late years, his voice was seldom heard in the House. He seemed to think that his work was ended with Emancipation and the abolition of Tithes. He had declined into a mere placeman — realizing Moore's sarcasm: —

> "As bees on flowers alighting, cease their hum,
> So, settling upon places, Whigs grow dumb."

Curiously enough, Mr. Sheil's appointment under the Whigs, in 1846, to the office of Master of the Mint, broke up the Irish party which O'Connell long had led. On acceptance of office, it was requisite that he should go back to his constituents of Dungarvan, as a candidate for re-election. A strong and rising section of the Repealers urged that, as in 1828 with Vesey Fitzgerald, Mr. Sheil should be opposed, as member of a Government who would not grant "justice to Ireland," save on the strongest pressure from without. O'Connell would

not consent thus to oppose Sheil, having better hopes of the Whigs than his more youthful and eager associates. O'Connell allowed Sheil to be re-elected, without opposition, on the ground of his own reluctance to embarrass the Government. Certain resolutions, affirming this temporizing policy, were proposed by John O'Connell, and carried by a large majority in the Repeal Association. But the minority — more powerful in virtues, boldness, and talent, than in numbers — seceded from the Association, and formed what was called the "Young Ireland" party, resolved to achieve the independence of their country, even if it were to be battled for with arms as well as words. Most distinguished in this party were O'Brien, Mitchel, Meagher, and Martin, who soon after founded "The Irish Confederation," one principle of which was opposition to office seeking on the part of persons professing nationality. Soon after, O'Connell died. The Revolutions of 1848 came next, and that which was attempted in Ireland, with an unsurpassed purity and intensity of purpose, failed like all the rest.

In November, 1850, when Lord John Russell was attacking the Catholic religion, as consisting of "the mummeries of superstition," and was preparing to bring in his Ecclesiastical Titles Bill, the Embassy to Florence was offered to, and accepted by, Mr. Sheil, whose health was declining, and whose religious feelings must have been opposed, had he remained in England, to Lord John Russell's anti-Catholic measures.

To Florence, therefore, he proceeded, full of hope that the fine climate would renew his failing health, and looking on his appointment as a dignified close to his public career. The suicide of Mr. Power, son of Mr. Sheil's second wife (his first had been Miss O'Hallaran, niece of Sir William M'Mahon, Master of the Rolls in Ireland), gave him such a shock as to induce an attack of gout in the stomach, of which he died. His remains were conveyed to Ireland in a British ship-of-war, and were interred at Long Orchard, four miles from Templemore, in the County of Tipperary.

Fain would I here have done more than thus briefly and rapidly record the leading events in Mr. Sheil's public life, but my space is necessarily limited. Perhaps I may have the oppor-

tunity of doing him fuller justice in a future volume, in which I may attempt to give pen-portraits of politicians and authors, artists and polemics, lawyers and orators, whom I have known in Europe.

The publication of "Sketches of the Irish Bar" was commenced in 1822, in *The New Monthly Magazine*, a London periodical then conducted by Thomas Campbell, the poet. The idea originated with William Henry Curran, son and biographer of the great Irish orator and patriot, but the execution was Sheil's.

The first sketch, which appeared in August, 1822 (and perhaps one of the ablest, being analytic as well as rhetorical), was that of Plunket. The far-famed paper on O'Connell, which is the best known of the series (having been repeatedly reprinted in Europe and America, and translated into French, German, Italian, and Spanish), did not appear until July, 1823. It immediately attracted attention and applause; and, from that time, the "Sketches of the Irish Bar" were eagerly looked for in *The New Monthly*, the reputation of which they mainly contributed to sustain. The last sketch was that of Leslie Foster, published in February and March, 1829.

A schoolboy, when the "Sketches" were commenced, (and, albeit a Protestant, entertaining a strong general impression that my countrymen, the Irish Catholics, were very harshly treated,) I eagerly perused such of them as were copied into an excellent journal, now no more, called *The Cork Mercantile Chronicle*. As I grew older, I could better appreciate their keen satire, their sharp antithesis, their close observation, their personal gossip, their liberal spirit, and their generous sentiment. At last, it was my own hap to become a member of the press, at an age when (I now feel) I should rather have been improving my own mind, than presumptuously attempting to instruct others.

In 1826, an enterprising bookseller in Cork resolved to make the experiment of trying whether Ireland, which eagerly received her literature from London and Edinburgh, could support a periodical of her own. He engaged the services of

some distinguished *literati* in the South of Ireland, and had no lack of younger contributors willing to write for "the honor and glory" of being in print. Among these were several who have since been distinguished. There was Callanan, author of the exquisite lyric called "Gougane Barra," whose rhythm flows along like the melodious rippling of a gently-murmuring rivulet; there was O'Meagher, author of a poem called "Zedechias," and now the efficient and able Paris correspondent of the London *Times;* there was O'Leary, who wrote the *chanson à boire* "Whiskey, drink divine!" so redolent of Innishowen; there was John Windele, now a zealous and rational antiquarian; there was the late John Augustus Shea, already distinguished among his fellows for poetic genius, flashing wit, classic eloquence, and social companionship; and, lingering far behind, as became the youngest and humblest, the writer of this notice completed the array of volunteer contributors.

It struck all of us that the periodical would at once achieve success, if Mr. Sheil could be induced to become a contributor. Mr. Bolster, the publisher, obtained an interview, and asked whether Mr. Sheil could write for him, and was gratified with an affirmative reply. As the conversation went on, Mr. Sheil mentioned several subjects on which he was willing to write. The publisher was charmed with the interest which the future contributor appeared to take in the periodical. At last came the business question: "How much per sheet do you mean to pay?" The somewhat hesitating reply was, that no payment was contemplated at first, but that, whenever any profits accrued, he might depend on being remunerated. Mr. Sheil shook his head and said, "I am afraid your terms will not suit me. However, as you have done me the compliment of wishing me to write for you, I must give you something. Instead of calling your periodical 'Bolster's Magazine of Ireland,' accept a more appropriate name for it, from me. Considering the *place* whence it is to issue, and the *terms* which you offer, let me suggest that you call it 'The Cork-screw.'"

My own personal acquaintance with Mr. Sheil was made in October, 1828, in London, on the evening of the Penenden Heath Meeting. His conversation—full of wit and humor,

with graver alternations of serious talk — was the charm of that gay and delightful night.

In 1844, I applied to Mr. Sheil for permission to republish some of the "Sketches," and his prompt reply (of which a fac simile is given in the second volume) gave the promise of assisting me in making the selection. I was then at Oxford, and was unable to call upon him in London until the next year. He had forgotten my name, in the lapse between 1828 and 1845, but instantly recollected my person and my voice. Entering heartily into my views, he gave me whatever permission was in his power, as writer, to republish the "Sketches," wholly or in part, but doubted whether the copyright did not belong to Mr. Colburn, the proprietor of *The New Monthly Magazine*, for which he had written them. He gave me a list of the whole series, and further drew my attention to two other "Sketches," which had appeared in the first volume of Campbell's *Metropolitan Magazine* in 1831. These (on Lord-Chancellor Brougham and the State of Parties in Dublin), conclude the second volume, and, in their personal details, are not inferior in interest to any which precede them.

Encouraged by the frank kindness with which I was met, I suggested the republication of all the "Sketches," and stated my idea of the manner in which they should be edited. Mr. Sheil stated his inability — from pressure of other occupations, and a distaste of the literary labor it would impose — to annotate, or even to revise the articles; but strongly urged me to act as Editor — a duty for which, he was pleased to say, I was qualified by my knowledge of politics and parties in Ireland, and my acquaintance with most of the persons of whom he had made mention. Thus encouraged, I accepted the charge, and had repeated conferences on the subject, during the following twelve months; but, in the summer of 1846, Mr. Sheil resumed office as Master of the Mint, which greatly engrossed his time, and my own was so much occupied, to the exclusion of literary labor, that I was unable then to proceed with my task, which I did not resume until recently.

A generation has passed away since the first of these "Sketches" appeared, and, had I edited this work in England

I must have freely annotated it, to make its allusions to persons and things perfectly intelligible to the present race of readers. Doing it in America, I felt that this principle must be carried out yet more fully. Therefore, in the copious notes and illustrations which I have written (so copious, indeed, that my own portion in these volumes is more than two fifths of the whole),* I have endeavored to make the reader as well acquainted with every part of the subject, as I am myself. That I have been laborious I know, that I am accurate in statements and dates I believe. My own political opinions being liberal, their tone has breathed itself, no doubt, into what I have written, but I trust that its general impartiality will be acknowledged. Wherever my own personal knowledge could avail, I have freely used it. All of the subjects of the "Sketches" I have seen and heard in public; with many of them I was more or less acquainted.

The "Sketches" are of a three-fold character. Some are individual, as relating to public men. Some show the practice of the Irish Bar, as exhibited in reports of interesting criminal cases. The third class consists of narratives of public events connected with the cause of civil and religious liberty in Ireland. Thus, there are graphic descriptions of O'Connell, Plunket, and their contemporaries. There are the thrilling narratives of Scanlan's trial at Limerick (on which Gerald Griffin founded his tragic story of "The Collegians") and the trials of Father Carrol, at Wexford; of the murderers of Daniel Mara, at Clonmel; and of Gorman, for "the burning of the Sheas." There are also Mr. Sheil's own recollections of the formation of the Catholic Association in 1823; of the visit of the Catholic Deputation to London in 1825; of the great Clare Election, and the Penenden Heath Meeting in 1828; and of Lord Brougham's reception, as Chancellor, in 1831. Nor, amid much that is historical, grave, and sometimes, even tragic, are lighter scenes deficient, such as the account of the Tabinet Ball, the Confessions of a Junior Barrister, the description of

* Mr. Sheil's own notes to these "Sketches" are few—about six or eight in the two volumes. All the rest of the annotations are my own and initialed thus:—M.

an imaginary Testimonial to Lord Manners, and the Sketch of the judicial mime, Lord Norbury. In reality, this work, with its strong contrasts of light and shade, is a sort of personal history of Irish politics and politicians (for the Bar did not affect neutrality), during the half century following the parchment Union between Ireland and Great Britain.

The portrait of Mr. Sheil in this volume, is a fac-simile of an original sketch in my possession, made in London, in 1825, by Mr. S. Catterson Smith, then a young Irish artist of considerable promise, and now of such leading eminence that he was selected to paint the portrait of Lord Clarendon, late Viceroy of Ireland, to be placed in Dublin Castle. The likeness of Mr. Sheil, it must be noted, represents him as he was at the age of thirty-two.

Here, dismissing these volumes from my hand, I conclude my labors. Here are rescued from the perishable periodicals in which they mouldered, the admirable productions of a man, who, while our language lasts, will be spoken of as one of the most brilliant orators that Ireland, affluent in eloquence, ever had cause to be proud of—productions emanating from the freshness of his *purpurea juventus*, before his patriotism had been rendered cold or doubtful, by his acceptance of place. They stand—

"A deathless part of him who died too soon."

My own part, humble as it is, claims to be honest in purpose, and laboriously faithful in execution. I believe that the "Sketches of the Irish Bar," now first collected, will be found to possess abiding interest, because they emanate from a master-mind, and are written with fidelity and spirit. I have arranged them in an order different from that in which they originally appeared (on Mr. Sheil's own suggestion, that there should be contrast in the grouping), but I present them, without mutilation or change, as they were first given to the public

R. Shelton Mackenzie.

AUTHOR'S INTRODUCTION.

When I first visited Dublin (it was about three years ago), I was a frequent attendant at the Courts of Justice, or, as they are more familiarly styled, the "Four Courts." The printed speeches of Curran had just fallen into my hands; and, notwithstanding their numerous and manifest defects, whether of the reporter or the speaker, the general effect of the perusal was to impress me with a very favorable opinion of Irish forensic eloquence. Although, as an Englishman,* I might not participate in the political fervor which forms one of their chief recommendations to his admirers in Ireland, or, in my severer judgment, approve of a general style that differed so essentially from the models of British taste, still there was a freshness and vitality pervading the whole—glowing imagery—abounding phraseology—trains of argument and illustration at once vigorous and original—and incessant home pushes at the human heart, of which the attractions were entirely independent of local or party associations.

Under these impressions, and the opportunity being now afforded me, I made it a kind of literary object to ascertain how far the peculiarities that struck me belonged to the man

* Mr. Sheil commenced these Sketches in 1822, with the idea of their being taken as the production of an impartial Englishman, and he continued to wear the mask long after common report had assigned his writings to their true paternity. In his account of the Clare Election, which took place in 1828, and rendered Catholic Emancipation inevitable, Mr. Sheil frankly admitted the authorship.—M.

or the country. With this view, I resorted almost daily for the space of two terms to the Four Courts, where I studied with some industry the manner and intellectual character of some of the most eminent pleaders. The result was, a little collection of forensic sketches, accurate enough, it struck me, as far as they went; but on the whole so incomplete, that I had no design of offering them to the public: they remained almost forgotten in my commonplace-book, until his Majesty's late visit to Ireland,* when I was persuaded by a friend to follow in the royal train. All that I saw and thought upon that occasion is beside my present purpose.

I return to my sketches: My friend and I remained in Ireland till the month of December. We made an excursion to the lakes of Killarney and to the Giants' Causeway; and, during our tour, the Circuits being fortunately out, I was thus furnished with the means of correcting or confirming many observations upon some of the most prominent subjects of my sketches. The same opportunity was afforded me on my return to Dublin, where the Courts were sitting during the last month of our stay. I now, for the first time, and principally from deference to my companion's opinion that the subject would be interesting, resolved at a leisure hour to arrange my scattered memoranda into a form that might meet the public eye. I may not be enabled to execute my plan to its entire extent. In the event of my fulfilling my purpose, I must premise, that I do not profess to include every member of the Irish bar who has risen to eminence in his profession: I propose to speak only of those whom I heard sufficiently often to catch the peculiarities of their mind and manner; and, with regard to these, I beg to disclaim all pretensions to adjust their comparative merits and professional importance. Were it possible, I should introduce their names in the form of a Round Robin, where none could be said to enjoy precedence.

* George IV. visited Ireland in August, 1821, and had no cause to complain of his reception. The Irish appeared drunk with joy, and rattled their chains as if they were proud of them.—M.

SKETCHES OF THE IRISH BAR.

AN IRISH CIRCUIT.

If any one, tired with the monotonous regularity of a more civilized existence, should desire to plunge at once into another scene, and take refuge from *ennui* in that stirring complexity of feeling produced by a series of images, solemn, pathetic, ludicrous, and loathsome, each crossing each in rapid and endless succession, I would recommend to him to attend one of the periodical progresses of Irish law through the interior of that anomalous country; and more particularly through one of the southern districts, which, out of deference to Captain Rock, I have selected as the scene of the present sketch.

Going circuit in Ireland, though of great importance to the health of the bar—they would die of stagnation else—is at the outset but a dreary piece of business.* When the time ap-

* In Great Britain and Ireland, the Judges go "on circuit" twice a year, for the trial of criminal cases and of civil or *Nisi Prius* suits. Each circuit consists of a certain number of counties, and most of the barristers derive a considerable portion of their incomes from their labors, as advocates, on the circuit A barrister may change his circuit *once*—but even this is rare—and the ordinary practice is, having once commenced in one district (usually including the locality of his own relatives and friends), always to continue in it. When a lawyer is called out of his own to plead for plaintiff or defendant in another circuit, it is said that he is "engaged specially," and receives a large fee or *honorarium* accordingly. The largest "special" fee ever received in England was by one of the present ex-Chancellors, Lord Truro (then Sir Thomas Wilde)

proaches; one can generally perceive, by the faces in the Hall,* that it is felt as such. There are, of course, exceptions. A prosperous man, certain of a rich harvest of record-briefs, a crown prosecutor with the prospect of a "bumper" in every jail, a sanguine junior confiding in the promise of the defence in a heavy murder case or two to bring him forward — the spirits of these may be as brisk, and their eyes shine as bright as ever; but, for the most part, the presentiment of useless expense, and discomfort in a thousand forms, predominates. The travelling arrangements are made with a heavy heart; the accustomed number of law-books, each carefully lapped up in its circuit-binding, and never perhaps to be opened till its return, are transferred with a sigh from the shelf to the portmanteau; and the morning of departure from the metropolis, no matter how gay the sunshine or refreshing the breeze, is to many—to more than will dare confess it — the most melancholy of the year.

It certainly requires some stoutness of sensibility to face the south of Ireland. I have often heard the metropolis described as an effort of Irish ostentation. The truth of this bursts upon you at every step as you advance into the interior. With the exception of the roads, the best perhaps in Europe, the general aspect of the country proclaims that civilization and happiness are sadly in arrear. Here and there the eye may find a momentary relief in the commodious mansion and tasteful demesne of some opulent proprietor; but the rest of the scene is dismal and dispiriting. To those accustomed to English objects, the most fertile tracts look bare and barren. It is the country, but it has nothing rural about it: no luxuriant hedgerows, no shaded pathways, no cottages announcing by the

who had nine thousand guineas, or $46,800, for going out of his circuit to plead in some great property cause. His brief (so called, like *lucus a non lucendo*, because of the prolixity of such documents) extended to over two thousand pages. From one to five hundred pounds sterling is the usual amount of a "special" fee. — A record-brief means a brief in a civil suit, and takes its name from the action being entered or placed on record in the minutes of the Court, before it can be tried. — M.

* Of "the Four Courts," the Westminster hall of Dublin, and the subject of a subsequent sketch.—M.

neatness without, that cleanliness and comfort are to be found within; but one undiversified continuity of cheerless stone-fences and roadside hovels, with their typhus-beds piled up in front, and volumes of murky smoke forth issuing from the interior, where men and women, pigs* and children, are enjoying the blessings of our glorious constitution.

I travelled in a public conveyance. We were four inside—myself, a barrister, an attorney,† and a middle-aged, low-spirited Connaught gentleman, whom at first, from his despondency, I took to be a recent insolvent, but he turned out to be only the defendant in an impending ejectment-case, which had already been three times decided in his favor. The roof of the coach was covered (besides other luggage) with attorneys' clerks, policemen, witnesses, reporters, &c., &c., all more or less put in motion by the periodical transfer of litigation from town to country. Before our first breakfast was concluded, I had known the names and destination of almost all of them, and from themselves; for it is a trait of Irish character to be on singularly confidential terms with the public. This is sometimes troublesome, for they expect a return in kind; but it is often amusing, and anything is better than the deadly taciturnity of an English traveller. How often have I been whisked

* An Irish peasant being asked why he permitted his pig to take up its quarters with his family, made an answer abounding with satirical *naïveté*, "Why not? Doesn't the place afford every convenience that a pig can require?"

† In England, during the seventy or eighty years immediately antecedent to railwayism, and formerly in Ireland, the etiquette of the bar prohibited a barrister from sharing a post-chaise with an attorney. The principle involved was that he who had briefs to *receive* should not be on familiar terms with him who had them to *give*—such being the relative positions of the respective "limbs of the law" in question. When a barrister was intimate with an attorney, he became liable to the imputation of playing at *hugger-mugger*, or cherishing him for interested purposes. At one time it was considered scarcely correct for a barrister to dine with an attorney—altogether a practitioner of a lower but very money-making class. All this has passed away. As for travelling, the rule which allowed barrister and attorney to go together in a mail or stage coach, because that was not necessarily *tête-à-tête*, as necessarily would be in a post-chaise which carried only two persons, extends to railway-carriages, in which all members of the profession, including the Judges themselves, are unavoidably mingled.—M.

along for miles and hundreds of miles with one of the latter species, without a single interchange of thought to enliven the way, with no return to any overture of sociality but defensive hems and predetermined monosyllables!

There is no stout-gentleman-like mystery upon the Irish roads. The well-dressed young man, for example, who sits beside you at the public breakfast-table, after troubling you for the sugar-bowl, and observing that the eggs are musty, will proceed, without further introduction, to tell you, "how his father, a magistrate of the county, lives within three miles and a half of the Cove of Cork,* and what fine shooting there is upon his father's estate, and what a fine double-barrelled gun he (the son) has, and how he has been up to Dublin to attend his college examinations, and how he is now on his way down again to be ready for the grouse"—to the dapper, pimpled-faced personage at the other side of the table, who, while his third cup of tea is pouring out, reveals *pro bono publico* that he fills a confidential office in the bank of Messrs. —— and Co., and that his establishment has no less than five prosecutions for forgery at the —— assizes, and that he is going down to prove the forgery in them all, *et sic de ceteris.*

Upon the present occasion, however, there was one exception. Among the outside passengers there were two that sat and breakfasted apart (though there was no want of space at the public table) in a recess, or rather a kind of inner room. One of them, a robust, decent-looking man, if alone, would have excited no particular observation; but the appearance and deportment of his companion, and a strange sort of impression which I could perceive that his presence occasioned, arrested my attention. He was about thirty years of age; had a long, sunken, sallow visage, with vulgar features; coarse, bushy, neglected black hair; shaggy, overhanging brows; and a dark, deep-seated, sulky, ferocious eye. But though his as-

* The Cove of Cork, one of the finest harbors in the British dominions, has ceased to be called by that name. A few years ago, on the first visit of Queen Victoria to the south of Ireland, the authorities of Cork, in the toadying and sycophantic spirit which often disgraces municipalities as well as individuals, petitioned the Crown that Cove should be called Queen's-Town. To this prayer the Queen "was graciously pleased to consent."—M.

pect was vulgar, his dress was not so. It consisted of a new blue coat and trowsers, a showy waistcoat, Wellington boots,* and a gaudy-colored silk neckcloth.† Little or no conversation passed between him and his companion, who never separated from him, and seemed assiduous in his care that the best fare the inn afforded should be placed before him. He, however, seemed untouched by the attentions bestowed upon him, either rejecting them gruffly, or accepting them with a hardened, thankless air. His manner was altogether so extraordinary, and the contrast between his haggard, forbidding countenance and his respectable attire so striking, that my curiosity was not a little raised, more especially as I could see that several of the company eyed him with suspicion and dislike, while the waiters approached him with signs of aversion which they took no trouble to conceal. Their meal being concluded, his companion, after paying the bill for both, motioned to him, with a certain air of command, to rise and follow him. He obeyed, and retired in the same sullen, apathetic manner that had marked the rest of his demeanor. From these appearances, my first conjecture was that this must be some unfortunate person of imperfect understanding, who was travelling under the care of a keeper.

Upon resuming my place in the coach, I inquired who he was from one of my fellow-passengers (the barrister), and was undeceived. He was an informer, or, more technically speaking, an approver, one of a party who a year before had perpe-

* *Apropos des bottes!* The duke of Wellington, during his earliest popularity, was made sponsor to two articles of wearing apparel. While he was in the Peninsula, they were immortalized in the shape of an epitaph:—

"Here lies the duke of Wellington,
Once famed for battles others won;
Who, after making, spending riches,
Bequeathed a name to—boots and breeches!"—M.

† The reader may recollect part of the song-writer's description of an Irishman "all in his glory" at Donnybrook Fair, with—

"A new Barcelona tied round his *nate* neck."

With many other things, better and worse, Donnybrook Fair, which was held close to Dublin, has passed away. It has been "put down" (like Bartholomew Fair, in London) by the sovereign power of the Lord-Mayor.—M.

trated the murder of an entire family in the south. He had lately been taken, had turned king's evidence, made confessions which led to the apprehension of his accomplices, and was now proceeding, under charge of a policeman, to be a witness for the crown upon their trial.* This information explained only a part of what I had seen. I observed that I still could not comprehend why such a miscreant should appear in so respectable a dress, and be treated in other respects with a degree of indulgence, to which another in his condition of life (for he was of the lowest class), though unstained by any crime, could have no pretension. The barrister made answer: "This is often indispensable for the purposes of justice, for it is difficult to imagine how unmanageable these ruffians sometimes are. They know the importance of the testimony they have to give, and which they alone can give, and in consequence become capricious and exacting in the extreme. Though in the hands of government, and with the evidence of their own admissions to convict them, they take a perverted pleasure in exercising a kind of petty tyranny over the civil authorities. They insist on having clothes, food, lodging, modes of conveyance according to their particular whims; and, if their impertinent demands be resisted, threaten to withhold their evidence and submit to be hanged. One starts at the singularity of a man's saying, 'Let me have a smart new blue coat, with double-gilt buttons, or a halter—a pair of Wellington boots, or the hangman!' but our desperate villains do these things, and the person in question I can perceive is one of them."

The subject thus started led to a conversation upon Irish courts of justice. I was in luck, for my fellow-traveller teemed with anecdotes, which he related with native fluency and point, touching judges, juries, counsel, witnesses, criminals, hangmen, and aught else that appertained to Irish law. He

* Mr. Curran said, in one of his speeches, "Informers are worshipped in the temple of justice even as the devil has been worshipped by pagans and savages—even so, in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans—even so is he placated and incensed by the fumes and by the blood of human sacrifices."—M.

told *inter alia* (would that I had noted down the details!) how Lord Avonmore* to his latest hour, would put no trust in a Kerry-man, the reason being (as with indignant gravity he used to justify his antipathy) that the only time he attended the Tralee assizes, he was employed in a single half-guinea case, in which he failed. And a day or two after, as he was travelling alone on the road to Cork, he was waylaid by his clients, reproached for his want of skill, and forcibly compelled

* Barry Yelverton, the dearest friend of Curran and the beloved of the good and great in Ireland, was alike distinguished as a lawyer, orator, and statesman. In 1782, he became Attorney-General of Ireland. In 1784, he succeeded Hussey Burgh, as Chief Baron of the Exchequer. In June, 1795, he was made Lord Yelverton, Baron Avonmore. In December, 1800, he was created Viscount Avonmore, gaining this step in the peerage by voting for the Union — a vote which he regretted only once, and that was to his dying day. Witty himself, he was the cause of wit in others. He was sometimes very absent in mind. On one of these occasions, at dinner, when the common toast of *Our absent friends* was given, while Avonmore was in a reverie, Curran informed him that his health had just been drank. The unsuspecting judge started up, and, after a very eloquent speech in acknowledgment, learned how he had been hoaxed. Of all his forensic speeches, said to have been very good, only a brief fragment exists — the two sentences in which he happily described what Blackstone had done for the laws of England by his Commentaries. "He it was," said he, "who first gave to the law the air of science. He found it a skeleton, and he clothed it with life, color, and complexion; he embraced the cold statue, and by his touch it grew into youth, and health, and beauty." Almost as brief is what has been left to us of his parliamentary eloquence, which was great. Fitzgibbon, afterward Lord Clare, had attacked the illustrious Grattan in his absence. Barry Yelverton defended his friend, and concluded by saying, "The learned gentleman has stated what Mr. Grattan is: I will state what he is not. He is not *styed* in his prejudices; he does not trample on the resuscitation of his country, or live, like a caterpillar, on the decline of her prosperity; *he does not stickle for the letter of the Constitution with the affectation of a prude, and abandon its principles with the effrontery of a prostitute.*" Sir Jonah Barrington has given the best sketch of Barry Yelverton. There are many stories afloat as to his suffering great poverty in his early manhood, and, as a proof, his pathetically saying to his mother, "Oh, I wish I had eleven shirts more!" When his mother inquired why he desired to have that particular number, he is reported to have explained by saying, "Because every gentleman should have a *dozen.*" Against this may be placed the fact that his father was a man of landed property in the county of Cork, on the banks of the Blackwater, and that his uncle, Charles O'Keefe, held the lucrative appointment of registrar of the Court of Chancery in Ireland. Lord Avonmore died on the 19th of August, 1805.—M.

to refund the fee. And how a Clare jury of old, in a case of felonious gallantry, acquitted the prisoner of the capital charge, but found him guilty of "a *great undacency.*"* And how Harry Grady,† in a desperate case at Limerick, hoisted an inebriated bystander upon the table to prove his statement, and every question being answered by a hiccup, got a verdict by persuading the jury that the opposite party had made his only witness drunk. And how a dying felon, after confessing all the enormities of his career, was asked by the priest if he could not recollect one single good action of his life to be put to the credit of his soul, to which the answer was—"No, father—God forgive me, not one—not a single—Oh! yes, I now remember—I once shot a gauger."

The entrance of the bar into an Irish assize town, though still an event, has nothing of the scenic effect that distinguished it in former days. At present, from the facilities of travelling, each separate member can repair, as an unconnected individual, to the place of legal rendezvous. This has more convenience, but less of popular *eclat.*‡ Till about half a cen-

* This is nothing to the verdict of a Welsh jury, "Not Guilty—but we recommend him not to do it again." It is related, also, that an English jury, not very bright, having before them a prisoner charged with burglary, and being unwilling to convict him capitally, as no personal violence accompanied the robbery, gave the safe verdict "Guilty of getting out of the window." But the most original was that of an Irish jury before whom a prisoner pleaded "Guilty," throwing himself on the mercy of the court. The verdict was "Not Guilty." The judge in surprise exclaimed, "Why, he has confessed his crime!" The foreman responded, "Ah, my lord, *you* do not know that fellow, but *we* do. He is the most notorious liar in the whole county, and no twelve men who know his character can believe a word that he says." So the prisoner escaped, as the jury adhered to their verdict.—M.

† Harry Deane Grady was for many years first counsel to the commissioners of customs and excise in Ireland. When this office was abolished as useless and expensive (each of the two counsel netting £3,730 on an appointment with a salary of £100 a year) Mr. Grady was awarded a life pension of £2,000 per annum, *as compensation!*—M.

‡ At present, on the North Wales circuit, where not more than a dozen barristers attend, they travel from county to county in an omnibus of their own, which also conveys their clerks, trunks, and other luggage. It is a convenient and cheap arrangement. There is more practical fun among lawyers "on circuit," than at any other time. Except when actually in the Courts, formal-

tury ago, it was otherwise. Then the major part of the bar of each circuit travelled on horseback, and for safety and pleasure kept together on the road. The holsters in front of the saddles—the outside-coat strapped in a roll behind—the dragoon-like regularity of pace at which they advanced, gave the party a certain militant appearance. An equal number of servants followed, mounted like their masters, and watchful of the saddle-bags, containing the circuit wardrobe, and circuit library that dangled from their horses' flanks. A posse of pedestrian suttlers bearing wine and groceries, and such other luxuries as might not be found upon the road, brought up the rear. Thus the legal caravan pushed along; and a survivor of that period assures me that it was a goodly sight; and great was the deference and admiration with which they were honored at every stage; and when they approached the assize town, the gentlemen of the grand-jury were wont to come out in a body to bid them welcome. And when they met, the greetings, and congratulations, and friendly reciprocities, were conducted on both sides in a tone of cordial vociferation that is now extinct.

For the counsellor of that day was no formalist; neither had too much learning attenuated his frame, or prematurely quenched his animal spirits; but he was portly and vigorous, and laughed in a hearty roar, and loved to feel good claret disporting through his veins, and would any day prefer a fox-chase to a special retainer; and all this in no way detracted from his professional repute, seeing that all his competitors were even as he was, and that juries in those times were more gullible than now, and judges less learned and inflexible, and technicalities less regarded or understood, and motions in arrest of judgment seldom thought of—the conscience of our

ity is sent away, on leave of absence, and the bar-mess becomes the focus of wit and merriment—particularly when, in a sort of mock-court, they proceed to the trial of *pseudo*-offenders. Once, at Lancaster, where the Northern Circuit mess was honored with the company of Lord Brougham, long one of their most distinguished members, who had become Lord Chancellor of England, they arraigned him—*for desertion*! He pleaded his own cause, with such infinite wit, that the jury brought in a verdict of "Guilty" against the accuser as well as the accused, fining each of them a dozen of claret.—M.

counsellor being ever at ease when he felt that his client was going to be hanged upon the plain and obvious principles of common sense and natural justice, so that circuit and circuit-business was a recreation to him; and each day through the assizes he was feasted and honored by the oldest families of the county, and he had ever the place of dignity beside the host; and his flashes of merriment (for the best things said in those days were said by counsellors) set the table in a roar, and he *could* sing, and *would* sing a jovial song too: and if asked, he would discourse gravely and pithily of public affairs, being deeply versed in state-concerns, and, peradventure, a member of the Commons' house of parliament; and when he spoke, he spoke boldly, and as one not fearing interruption or dissent — and what he said was received and treasured up by his admiring audience, as oracular revelations of the fate of kingdoms till the next assizes.*

* It may be necessary to state that, "across the water," the barrister or counsellor is of a rank superior to the attorney (without whom he could not earn a shilling), and has a different line of business. To become a barrister it is only necessary for a gentleman to enter his name on the books of one of the Inns of Court; to pay entrance-money and fees, amounting to about one hundred and twenty pounds sterling; to eat twelve law-dinners in the year, during four years; to appear before the Benchers (eminent barristers of long standing) and read a few lines of a *thesis* on some point of law, which document can be purchased for a few shillings; and, having passed through this ordeal, facetiously termed "an examination," then to be admitted to the rank of an utter or *outer* barrister (because none but Queen's Counsel, Sergeants-at-Law, or barristers with patents of precedency, can sit *within the bar* in the Law Courts), and be "called to the bar," by having his name shouted out, at dinner, calling him from the students' to the upper or barristers' table. It will be seen, from this, that as the barrister receives no instruction during his four years of pupilage, it entirely rests with himself whether and in what manner he shall obtain a knowledge of the law. This is to be done by study, by attendance at the chambers of some eminent pleader (to whom he usually pays one hundred pounds sterling), and by noticing the practice of the law during his attendance in the courts. On the other hand, you must be regularly apprenticed to an attorney for five years, and, when your time is served, pass through a very strict examination in law and its practice before you are admitted as an attorney. In no case can a client do business, directly, with the barrister, who can only be approached, professionally, by the attorney. It is precisely as if a man being ill, the physician should refuse to prescribe for him, unless his symptoms and ailments were detailed, at second-hand, by the apothecary. The attorney literally acts as

Thus far my informant—himself a remnant of this by-gone race, and as such contrasting, not without a sigh, the modern degeneracy of slinking into a circuit-town in a corner of the Dublin mail, with the pomp and circumstance that marked the coming of the legal tourist in the olden time. Still the circuit-going barrister of the present day, though no longer so prominent an object of popular observance, is by no means considered as an ordinary person. The very title of Counsellor continues to maintain its major influence over the imaginations of the populace. When he comes to be known among them, landlords, waiters, guards, and coachmen, bow to him as low, and are as alert in service, as if he were a permanent grand-juryman, or chief-magistrate of police. At an assizes ball (if he be still in his juniority) the country-belles receive him with their choicest smirks, while the most influential country-gentlemen (excepting those who have received a college education, or who have been to Cheltenham) are cautious and complimentary in their converse with one who can take either side of any question *extempore*, divide it, by merely crossing his fingers, into three distinct points of view, and bring half a dozen knock-down arguments to bear upon each.

jackall to the barrister; but an attorney in good practice, who has many law-suits to carry on, has it in his power to help a clever young barrister, by employing him as junior counsel in such suits—there ordinarily being at least two barristers on each side in every civil or Nisi Prius trial. The attorney "gets up the case"—prepares the brief or statement of facts and evidence, with references to points of law, and previous decisions of the Courts also—fixes the amount of fees to counsel, and pays the money on delivery of the brief; there being the anomaly that, while the barrister's fee is not recoverable by law, the attorney's bills of costs are, and their amount is fixed by rules of Court, and taxed by proper officers. There is no instance on record of a barrister's ever having become an attorney. Several of the best men at the bar (among whom Lord Truro now stands) have commenced as attorneys. To effect this change the man must cease to be an attorney, by having his name struck off the Court-roll, before he can enter as a student at one of the Inns of Court, where, after four years' delay, as above mentioned, he may be called to the bar. Should it be discovered that a barrister has professionally acted without being "instructed" by an attorney, or that he has an understanding to the effect of sharing profits with an attorney, he would be *disbarred*—that is, turned out of the profession.—M.

The most striking scenes upon an Irish circuit are to be found in the criminal courts. The general aspect of the interior, and the forms of proceeding, have nothing peculiar; but scarcely a case occurs that does not elicit some vivid exhibition of national character, or afford matter of serious reflection upon the moral and political condition of the country. I would add, that the very absence of such reflection on the part of the spectators, is itself an observable phenomenon: for instance, the first morning that I entered the Crown Court at ——, I perceived the witness-table covered by a group of mountain-peasantry, who turned out to be three generations of one family, grandfather, father, and three or four athletic sons. Their appearance, though decent, was wild and picturesque. They were all habited in a complete suite of coarse blue frieze. The eldest of the party sustained himself upon a long oaken staff, which gave to him a certain pastoral air, while each of the others, down to the youngest, a fine, fierce, black-haired, savage-eyed lad of seventeen, was armed with a formidable club of the same favorite timber. The old man resting upon his staff, and addressing the interpreter, was meekly and deliberately explaining, in the Irish language, for the information of the court, the object of his application. It needed no interpreter to tell me that he was recounting a tale of violence and wrong. The general purport, as he proceeded, was intelligibly translated in the kindling looks, the vehement gesticulation — and, where any circumstance was omitted or understated — the impassioned and simultaneous corrections of the group behind him. Though he more than once turned round to rebuke their impetuosity, it was easy to perceive that his own tranquillity of manner was the result of effort; but the others, and least of all the younger portion of the party, could not submit to restrain their emotions. The present experiment of appealing to the laws was evidently new to them, and unpalatable. As they cast their quick suspicious glances round them, and angrily gave their cudgels a spasmodic clench, they looked less like suitors in a court of justice, than as an armed deputation from a barbarous tribe, reluctantly appearing in a civilized enemy's camp with proposals for a cessation of

hostilities. And there was some such sacrifice of warlike instincts in the present instance. The party, for once listening to pacific counsel, had come down from their hills to seek compensation from the county for the loss of their house and stock, which had been maliciously burned down—they suspected, but had no proof—by "their old enemies the O'Sullivans." Yet the details of their case, embracing midnight conflagration, imminent risk of life, destruction of property, produced, so familiar are such outrages, not the slightest sensation in a crowded court. Some necessary forms being gone through, they were dismissed, with directions to appear before the grand jury; and I do not forget that, as they were retiring, the youngest of the party uttered a vehement exclamation, in his native tongue, importing—"That if the grand-jury refused them justice, every farthing of their loss should (come of it what would) be punctually paid down to them in the blood of the O'Sullivans."

The dock of an Irish county-court is quite a study. From the character of the crimes to be tried, as appearing on the calendar, I expected to find there a collection of the most villanous faces in the community: it was the very reverse. I would even say that, as a general rule, the weightier the charge, the better the physiognomy, and more prepossessing the appearance of the accused. An ignoble misdemeanant, or sneaking petty-larcenist, may look his offence pretty accurately; but let the charge amount to a good transportable or capital felony, and ten to one but the prisoner will exhibit a set of features from which a committee of craniologists would never infer a propensity to crime. In fact, an Irish dock, especially after a brisk insurrectionary winter, affords some of the choicest samples of the peasantry of the country—fine, hardy, healthy, muscular looking beings, with rather a dash of riot about the eye, perhaps, but with honest, open, manly countenances, and sustaining themselves with native courage amid the dangers that beset them; and many of them are in fact either as guiltless as they appear, or their crimes have been committed under circumstances of excitation, which, in their own eyes at least, excuse the enormity. With regard to the

former, there are one or two national peculiarities, and not of a very creditable kind, which account for their numbers.

The lower orders of the Irish, when their passions are once up on the right side, are proverbially brave, disinterested, and faithful; but reverse the object, give them a personal enemy to circumvent, or an animosity of their faction to gratify, and all the romantic generosity of their character vanishes As partisans, they have no more idea of "fair play," than a belligerent Indian of North America. In the prosecution of their interminable feuds, if they undertake to redress themselves, armed members will beset a single defenceless foe, and crush him without remorse; and in the same spirit of reckless vengeance, when they appeal to the law, they do not hesitate to include in one sweeping accusation, every friend or relative of the alleged offender, whose evidence might be of any avail upon his defence; and hence, for the real or imputed crime of one, whole families, men and women, and sometimes even children, are committed to prison, and made to pass through the ordeal of a public trial. Another prolific source of these wanton committals is a practice, pretty ancient in its origin, but latterly very much on the increase, of attempting to succeed on a question of civil right by the aid of a criminal prosecution. Thus the legality of a distress for rent will come on to be tried for the first time under the form of a charge for cow-stealing, or the regularity of a "notice to quit," upon an indictment for a forcible and felonious dispossession.*

* These vindictive or wanton prosecutions are becoming so frequent, and the immediate and consequential evils are so great—for revenge in some lawless form or other is sure to follow—that the government of the country ought to interfere. The judges, when such cases come before them, never fail to express their indignation, and to warn the magistracy to be more cautious in granting committals without thoroughly sifting the truth of the depositions upon which they are grounded; but the guilty party, the malicious prosecutor, escapes unpunished. His crime is wilful perjury—but this is an offence against which, by a kind of general consent in Ireland, the laws are seldom or never put in force—and hence one of the causes of its frequency; but if prosecutors and their witnesses were made practically to understand that the law would hold them responsible for the truth of what they swear, if the several crown solicitors were instructed to watch the trials upon their respective circuits, and to make every flagrant case of perjury that appeared the subject of prompt and

But even omitting these exceptions, I should say from my own observations that an Irish jail is, for the most part, delivered* of remarkably fine children, particularly "the boys," though from the numbers at a single birth, it would be too much to expect that they all should be found "doing well." In many the vital question is quickly decided, while in others, and it is for these that one's interest is most raised, the chances of life and death appear so nicely balanced, that the most experienced observer can only watch the symptoms, without venturing to prognosticate the issue. Such, to give an apposite example, was the memorable instance of Larry Cronan.

Larry Cronan was a stout, hardy, Irish lad, of five-and-twenty. Like Saint Patrick, "he came of *dacent* people."† He was a five-pound freeholder — paid his rent punctually — voted for his landlord, and against his conscience — seldom missed a mass, a fair, a wake, or a row — hated, and occasionally cudgelled the tithe-proctor — loved his neighbor — had a

vigorous prosecution, some check might be given to what is now a monstrous and increasing mischief. The experiment, I understand, was made some time ago at Cork, and, though only in a single instance, with a very salutary effect. On the first day of the assizes, a by-stander, seeing a dock friend in danger, jumped upon the table to give him "the loan of an oath." His testimony turning out to be a tissue of the grossest perjury, the judge ordered a bill of indictment for the offence to be forthwith prepared and sent up to the grand jury. The bill was found, and in the course of the same day, the offender was tried, convicted, sentenced to transportation, put on board a convict-ship then ready to sail, and, by day-break next morning found himself bearing away before a steady breeze for Botany bay. The example had such an effect, that scarcely an alibi-witness was to be had for love or money during the remainder of the assizes.

* The word "delivered," is used here in reference to the fact that, in Great Britain and Ireland, the judges of assize, who go on circuit, from county to county, are bound to make "a general jail delivery," that is, to try every prisoner, in each place, unless the inquiry before the grand jury should ignore the bills of indictment, or, "a true bill" being found, the trial is deferred from some legal cause. Sometimes, of course, when the crown prosecutor declines trying the accused, the "*nolle prosequi*" opens the prison-door, and sometimes, when the offence is not very heavy the prisoner is liberated *pro tem.*, on giving bail for his appearance, to be tried at the next assizes.—M.

† "Saint Patrick was a gentleman,
And came of dacent people."—*Irish Song.*

wife and five children, and, on the whole, passed for one of the most prosperous and well-conducted boys in his barony. All this, however, did not prevent his being "given to understand by the Clerk of the Crown," at the summer assizes for his native county, that he stood indicted in No. 15, for that he, on a certain night, and at a certain place, feloniously and burglariously entered a certain dwelling-house, and then and there committed the usual misdeeds against his majesty's peace and the statute; and in No. 16, that he stood capitally indicted under the Ellenborough act;* and in No. 18, for a common assault. I was present at his trial, and still retain a vivid recollection of the fortitude and address with which he made his stand against the law; and yet there were objects around him quite sufficient to unnerve the boldest heart — a wife, a sister, and an aged mother, for such I found to be the three females that clung to the side bars of the dock, and awaited in silent agony the issue of his fate. But the prisoner, unsoftened and undismayed, appeared unconscious of their presence. Every faculty of his soul was on the alert to prove to his friends and the county at large, that he was not a man to be hanged without a struggle. He had used the precaution to come down to the dock that morning in his best attire, for he knew that with an Irish jury, the next best thing to a general good character is a respectable suit of clothes. It struck me that his new silk neckkerchief, so bright and glossy, almost betokened innocence; for who would have gone to the unnecessary expense, if he apprehended that its place was so soon to be supplied by the rope? His countenance bore no marks of his previous imprisonment. He was as fresh and healthy, and his eye as bright, as if he had all the time been out on bail.

When his case was called on, instead of shrinking under the general buzz that his appearance excited, or turning pale at the plurality of crimes of which he was arraigned, he manfully looked the danger in the face, and put in action every resource within his reach to avert it. Having despatched a

* A law passed by the British parliament, at the instance of the late Lord Ellenborough, chief-justice of England. It provided punishment for such offences against the person as "cutting and maiming, or *mayhem*."—M.

messenger to bring in O'Connell from the other court,* and beckoned to his attorney to approach the dock-side, and keep within whispering distance while the jury were swearing, he "looked steadily to his challengers," and manifested no ordinary powers of physiognomy, in putting by every juror that had anything of "a dead, dull, hang look." He had even the sagacity, though against the opinion of the attorney, to strike off one country-gentleman from his own barony, a friend of his in other respects, but who owed him a balance of three pounds for illicit whiskey. Two or three sets of alibi witnesses, to watch the evidence for the crown, and lay the venue of his absence from the felony according to circumstances, were in waiting, and, what was equally material, all tolerably sober. The most formidable witness for the prosecution had been that morning bought off. The consideration was, a first cousin of Larry's in marriage, a forty-shilling freehold upon Larry's farm, with a pig and a plough to set the young couple going. Thus prepared, and his counsel now arrived, and the bustle of his final instructions to his attorney and circumstanding friends being over, the prisoner calmly committed the rest to fortune; resembling in this particular the intrepid mariner, who, perceiving a storm at hand, is all energy and alertness to provide against its fury, until, having done all that skill and forethought can effect, and made his vessel as "snug and tight" as the occasion will permit, he looks tranquilly on as she drifts before the gale, assured that her final safety is now in other hands than his.

* Mr. O'Connell's success with juries, whether in criminal or *nisi prius* cases, was very great. He went the Munster circuit (which included the southern counties of Ireland—Clare, Limerick, Kerry, Cork, and Waterford), and almost invariably held a brief for the defence in all criminal prosecutions. His business on circuit was so great that, except in very important cases, he could not read the prisoners' briefs. But the attorney for the defence used to condense the leading facts and set them down on a single sheet of foolscap, and O'Connell usually found time to peruse and master them, during the speech of the crown counsel for the prosecution, relying on his own skill in the cross-examination of witnesses and his power with the jury. Like Belial, he "could make the worse appear the better reason," as many an acquitted culprit had cause to know and be grateful for.—M.

The trial went on after the usual fashion of trials of the kind. Abundance of hard swearing on the direct; retractions and contradictions on the cross-examinations. The defence was a masterpiece. Three several times the rope seemed irrevocably entwined round poor Larry's neck—as many times the dexterity of his counsel untied the Gordian knot. From some of the witnesses he extracted that they were unworthy of all credit, being notorious knaves or process-servers. Others he inveigled into a metaphysical puzzle touching the prisoner's identity; others he stunned by repeated blows with the butt-end of an Irish joke. For minutes together, the court, and jury, and galleries, and dock, were in a roar. However the law or the facts of the case might turn out, it was clear that the laugh, at least, was all on Larry's side. In this perilous conjuncture, amid all the rapid alternations of his case—now the prospect of a triumphant return to his home and friends, now the sweet vision abruptly dispelled, and the gibbet and executioner staring him in the face—Larry's countenance exhibited a picture of heroical immobility. Once, and once only, when the evidence was rushing in a full tide against him, some signs of mortal trepidation overcast his visage. The blood in his cheeks took fright and fled—a cold perspiration burst from his brow. His lips became glued together. His sister, whose eyes were riveted upon him, as she hung from the dock-side, extended her arm, and applied a piece of orange to his mouth. He accepted the relief, but, like an exhausted patient, without turning aside to see by whose hand it was administered. At this crisis of his courage, a home-thrust from O'Connell floored the witness who had so discomposed his client; the public buzzed their admiration, and Larry was himself again. The case for the crown having closed, the prisoner's counsel announced that he would call no witnesses. Larry's friends pressed hard to have one, at least, of the alibis proved. The counsel was inflexible, and they reluctantly submitted.

The case went to the jury loaded with hanging matter, but still not without a saving doubt. After long deliberation, the doubt prevailed. The jury came out, and the glorious sound

of "not guilty," announced to Larry Cronan that, for this time, he had miraculously escaped the gallows. He bowed with undissembled gratitude to the verdict. He thanked the jury. He thanked "his lordship's honor." He thanked his counsel — shook hands with the jailer — sprung at a bound over the dock, was caught as he descended in the arms of his friends, and hurried away in triumph to the precincts of the court. I saw him a few minutes after, as he was paraded through the main street of the town on his return to his barony. The sight was enough to make one almost long to have been on the point of being hanged. The principal figure was Larry himself, advancing with a firm and buoyant step, and occasionally giving a responsive flourish of his cudgel, which he had already resumed, to the cheerings and congratulations amid which he moved along. At his sides were his wife and sister, each of whom held the collar of his coat firmly grasped, and, dragging him to and fro, interrupted his progress every moment, as they threw themselves upon him, and gave vent to their joy in another and another convulsive hug. A few yards in front, his old mother bustled along in a strange sort of a pace, between a trot and a canter, and every now and then, discovering that she had shot too far ahead, pirouetted round, and stood in the centre of the street, clapping her withered hands and shouting out her ecstasy in native Irish, until the group came up, and again propelled her forward. A cavalcade of neighbors, and among them the intended alibi witnesses, talking as loud and looking as important as if their perjury had been put to the test, brought up the rear. And such was the manner and form in which Larry Cronan was reconducted to his household gods, who saw him that night celebrating, in the best of whiskey and bacon, the splendid issue of his morning's pitched battle with the law.*

* Phillips relates that at the assizes of Enniskillen, Plunket once defended a horse-stealer with such consummate tact, that one of the fraternity, in a paroxysm of delight, burst into an exclamation, "Long life to you, Plunket! The first horse I steal, boys, by Jekurs, I'll have Plunket!" John O'Connell tells an anecdote of his father, which is worth repeating. He defended a man charged with highway robbery, and by an able cross-examination procured his acquittal. Next year, at the assizes of the same town, he had to defend the

The profusion of crime periodically appearing upon the Irish calendars, wears, it must be admitted, a very tremendous aspect; quite sufficient to deter the British capitalist from trusting his wealth within its reach. Yet, from the observations I have had an opportunity of making, I am greatly inclined to think that instances of pure, unmitigated, unprovoked invasion of life and property would be found (every requisite comparison being made) to be, upon the whole, less frequent than in England. The hardened, adroit, and desperate English felon, embracing and persevering in crime as a means of bettering his condition, is a character that, with the exception of two or three of the capital towns, has few counterparts in Ireland. The Irish peasantry have unquestionably increased in fierceness within the last twenty or thirty years; yet, as far as outrages upon property for the sake of gain are concerned, it is never the genius of a people so poor and contented with so little, and that little so easily procured, to become gratuitous thieves and highwaymen. They have too little taste for even the necessaries of life to risk their necks for its luxuries. At seasons of unusual pressure, and under circumstances of peculiar excitement, they are less abstinent; but even then they violate the laws in numbers and as partisans, and their murders and depredations have more the character of a political revolt than of a merely felonious confederacy. In truth, it may be almost said that, in the southern districts of Ireland, the only constituted authentic organ of popular discontent is midnight insurrection. If rents are too high, if the tithe-proc tor is insatiable, if agents are inexorable and distrain with undue severity, the never-failing Captain Rock *instanter* takes

same man, under charge of having committed a burglary, with violence nearly amounting to murder. The jury discredited the Government witnesses, could not agree on a verdict, and the prisoner was discharged. Again, O'Connell had to defend him—this time on a charge of piracy—by demurring to the jurisdiction of the Court, the offence, committed "on the high seas," being cognizable only before an Admiralty Court. When the man saw his successful counsel turn round to the dock, in which he stood, he stretched over to him, and, raising eyes and hands most piously and fervently to heaven, cried out, "Oh, Mr. O'Connell, may the Lord spare you—*to me*!"—M.

the field with his nocturnal forces,* issues his justificatory manifestoes, levies arms and ammunition upon the gentry, burns a few obnoxious tenements, murders a police-magistrate or two, and thus conveys to the public his dissatisfation with a state of things, which (supposing them possible to exist in any quarter of England) would be bloodlessly laid before the nation for reprobation and redress, in a series of well-penned letters to the editor of the "Morning Chronicle."†

There is, however, one particular felony, always figuring conspicuously upon an Irish calendar, which I rather fear that a genuine son of St. Patrick has a natural predisposition to commit for its own sake. Irishmen the most sensitive for the honor of their country, must, I think, admit that among them a youthful admirer of the fair sex, with a hot-spring of true Milesian blood in his veins, is disposed to be rather abrupt and

* The spirit of Irish disaffection (put down by Mr. O'Connell, who showed that it actually supplied the Government with good grounds for making and enforcing harsh laws) found numerous leaders in the south and west of Ireland, most of whom assumed the soubriquet of "Captain Rock." The forces under the command of these leaders were generally called "Whiteboys," from their common practice of wearing white shirts over their usual garments during their nocturnal excursions. Thomas Moore, who has apostrophized him as "the genius of Riot," wrote the Memoirs of Captain Rock, in which, with more truth than poetry, he thus briefly stated the causes of Irish discontent:—

"As long as Ireland shall pretend,
Like sugar-loaf, turned upside down,
To stand upon its smaller end,
So long shall live old Rock's renown.
As long as Popish spade and scythe
Shall dig and cut the Sassenagh's tithe;
And Popish purses pay the tolls,
On heaven's road, for Sassenagh souls—
As long as Millions shall kneel down
To ask of Thousands for their own,
While Thousands proudly turn away,
And to the Millions answer, 'Nay!'—
So long the merry reign shall be
Of Captain Rock and his family."—M.

† In 1825, when this sketch was published, the "Morning Chronicle" had nearly as much influence, in and out of London, as The Times, and was the great organ of the liberal party in England and Ireland.— M.

peremptory toward the object of his adoration. And yet among all the various cases that are tried at an Irish assizes, those in which "ladies are recommended to leave the court" are perhaps the most perplexing to a judge and jury.* If, on the one hand, the Hibernian lover be often hasty and irregular in his style of courtship; on the other, the beauties of the bogs (let Mr. O'Connell deny it as he will) are sometimes frail: and, besides, the charge is in itself so easily made, and so difficult to refute—still it may in any given case be true; and the witnesses depose to their wrongs in such heart-rending accents, and weep, and sigh, and faint away, so naturally—but then so many instances occur in which all this turns out to be imposture; and the complainant has always so many motives to swear to her own purity through thick and thin, and the boundary between importunacy and felony is so undefinable, and she is in general so ready to consent, that, after all, the affair shall terminate, like a modern comedy, in a marriage, for in nine cases out of ten it is almost impossible to divine whether the real object of the prosecutrix is the prisoner's life, or his hand and fortune. The party accused (whenever in point of fact he can do so) suspects it to be the latter; and it is often amusing enough to watch his deportment, as influenced by that impression, throughout the progress of his trial.

At first he takes his station at the bar with the confident and

* In England it is the rule for ladies to attend the assizes, in Ireland it is the exception. At any place, the practice is absurd and indelicate. The fair sex who visit the Courts of Law, listening for hours to evidence and speeches which they could take no interest in, even if they understood them, evidently go to exhibit their charms and—their wardrobe! An aggravated murder case pleases them—as a tragedy would. But their peculiar delight is to listen to the details of an action for breach of promise of marriage. In cases of seduction and *crim. con.*, the crier of the Court gives a preliminary warning "ladies and boys will leave the Court." I recollect one of these cases, in which the bulk of the petticoated spectators did not vacate their seats—their prurient curiosity was predominant. In stating the facts, the prosecuting counsel, seeing ladies in Court, and not wishing to wound their sense of delicacy, hesitated for words in which to wrap up the necessary grossness of the details. "Brother," said the Judge, "as all the modest women have left the Court, you may call things by their proper names." Then followed a great fluttering of bonnet-plumes, and, in five minutes after the reproof, the fair sex had left the Court!—M.

somewhat swaggering air of a man determined not to be bullied by a capital prosecution into a match against his taste. It is in vain that the prosecutrix apprizes him, by her softened and half-forgiving glances, and her tender reluctance to swear too hard at first, that if he says but the word she is ready "to drop the business," and fly into his arms. In vain his friends and hers endeavor to impress upon him the vast difference in point of comfort and respectability between life with a wife and home, and the premature abridgment of his days upon gibbet. "No; his mind is made up, and he'll run all chances and if she only tells the whole matter just as it happened, and might happen to anybody, not a hair of his head has cause to be afear'd." This lasts for a time; but as the case in its progress begins to wear a serious aspect, and the countenance of his attorney to assume along with it a disastrous gravity, wondrous is the revolution of sentiment that is gradually but rapidly produced. She, upon whom a little while ago he frowned in scorn, on a sudden begins to find favor in his sight. With every step that her gentle hand conducts him toward his doom, he becomes more conjugally inclined. The more the thickening danger compels him to reconsider his determination, the more clearly he sees that after all it will be better to receive his "death from her eyes" than from her tongue; until at length, being fairly led to the foot of the gallows, with the rope, in such cases the most potent of love-chains, fast about his neck, he announces himself the repentant lover, tenders the *amende honorable*, and is transferred with all convenient speed from the impending gripe of the hangman to the nuptial clasp of a young and blooming bride. Such matches can hardly be said to be "made in heaven;" yet I have never heard that they turn out less prosperously than others. The wife is all gratitude and pride for having been "made an honest woman;" the husband is usually bound over at the time of the marriage to keep the peace toward the mistress of his soul; and, with these collateral securities for domestic bliss, they generally contrive to live on, and defy Mr. Malthus, with as much harmony as if their fates had been united by a less circuitous process.*

* There is a difference of opinion among the judges as to the expediency of permitting a prosecution to be stopped in the manner above described. The

These are things to smile at; but exhibitions of a far different character occasionally occur—not, as already stated, more frequently than elsewhere, but when they do appear, presenting instances of deep aboriginal depravity, for which no political or social palliation can be found. Nor is it exclusively from among the refuse of the community that such examples may be taken. Of this I have before me a remarkable illustration in the details of a case that happened a few years ago, and which, in addition to the singularity of the incidents, has the novelty of being now for the first time presented in a printed form to the public.*

The river Shannon, in its passage westward toward the Atlantic, expands, about forty miles below the city of Limerick, into a capacious sheet of water resembling an estuary, and making a distance of ten or twelve miles from bank to bank. At the northern, or county of Clare side, is the town of Kilrush. Upon the opposite shore, adjoining the borders of the counties of Limerick and Kerry, is the town of Tarbert; and a few miles higher up the stream the now inconsiderable village of Glyn—the same from which a branch of the Fitzgeralds originally took their ancient and still-honored title of "Knights of Glyn." None of these places make any kind of show upon the banks, which besides are pretty thickly planted almost down to the water's edge. The river itself in this part

question is full of difficulty; but all things considered, it would probably be more salutary, to let the law in every instance take its course. If an indulgence, which originated in humanity, often saves a court and jury from a distressing duty, it, on the other hand, has a tendency to encourage interested prosecutions and also to render the actual commission of the crime more frequent, by holding out to offenders the possibility of such a means of escape in the last resort. [At present, and for many years past, a prosecution for abduction once brought before a jury is not allowed to be stopped—except for want of evidence. The result is that the offence has scarcely been heard of latterly.—M.]

* Upon the incidents here related, with a graphic clearness and force most touching in their naked simplicity, the late Gerald Griffin, himself a "Limerick man," founded "The Collegians," his most striking and truthful work of fiction. The original of his "Hardress Cregan" was John Scanlan, whose name was not published by Mr. Sheil, out of respect for the feelings of his family, one of the most respectable in the South of Ireland.—M.

presents few signs of human intercourse. In the finest summer weather the eye may often look round and search in vain for a single bank or boat to break the solitude of the scene. The general desolation is in fact at times so complete, that were an adept in crime to be in quest of a place where a deed of violence might be perpetrated under the eye of God alone, he could not select a fitter scene than the channel of the river Shannon, midway between the points I have just described.

One morning, a little after sunrise, about the latter end of July, in the year 1819, two poor fishermen, named Patrick Connell and .... Driscol, who lived at Money-Point, a small hamlet near Kilrush, went down to the river-side, according to their custom, to attend to their occupation. As they walked along the strand in the direction of their boat, they came upon a human body which had been washed ashore by the last tide. It was the remains of a young female, and had no clothing or covering of any kind excepting a small bodice. Who or what she had been they could not conjecture, but how she came by her death was manifest. They found a rope tied at one end as tightly as possible round the neck, and at the other presenting a large loop, to which they supposed that a stone or some other weight had been attached, until the working of the stream had caused it to separate. From the general state of the body, and more particularly from the teeth having almost all dropped out, they concluded that it must have been under the water for several weeks. After a short consultation, the two fishermen resolved upon proceeding without delay to Kilrush, to apprize the civil authorities of the circumstance; but in the meantime they could not bear to think of leaving the remains exposed as they had found them on the shore, and liable to be borne away again by the tide before they could return. They accordingly removed the body to a little distance beyond high-water mark, and gave it a temporary interment. The feelings with which they performed this office were marked by that tender and reverential regard toward the dead which distinguishes the Irish peasantry. Upon the subsequent investigations, it became of importance to ascertain whether the burial had been conducted in such a manner as not to have

occasioned any additional injury or disfigurement to the remains; and Patrick Connell being asked the question, replied in a tone of voice so pathetic as to bring a tear into every eye: "No," said the poor fellow, raising both his hands, and attempting to convey by their movements the gentleness that had been used, "it was impossible for anything we did to injure or disfigure her, for we laid her up neatly in sea-weeds, and then covered her all round softly with the sand, so that nothing could harm her."

The magistrates of the neighborhood having ascertained from the report of the fishermen that a dreadful crime had been committed, set immediate inquiries on foot for the discovery of the offender. The task could not have devolved upon a more competent class of men. Whatever other failings may have been imputed to the Irish country-gentlemen, indifference or inexpertness in the detection of criminals has not been among them. Time out of mind, the political and social anomalies of Ireland have kept that body continually on the alert for the protection of their lives and properties. To the abstract principle of public duty and general love of justice, has been superadded the more pressing stimulus of self-preservation. The consequence is, that their local information in all that can relate to the discovery of a public offender is singularly accurate and extensive; and equally remarkable are their skill and zeal in putting every resource in play for the attainment of their object.* The exertions of the magistrates in the present instance were so successful, that a considerable mass of circum-

* Liberal pecuniary rewards for prosecuting to conviction, are among the number; but experience has shown that in such a country as Ireland, this may be a very dangerous expedient. A striking instance occurred a few years ago A young gentleman, the son of an unpopular English agent, was barbarously murdered. The reward offered, amounted to some hundreds of pounds. For some time no evidence was tendered; at length a boy, about thirteen years of age, and whose parents were in the most indigent circumstances, presented himself and stated that he had witnessed the murder from a concealed position behind a hedge, and that he could identify one of the persons engaged in it by a particular mark on one of his cheeks. From the description, suspicion lighted upon a particular man, who was accordingly apprehended, and being shown to the boy, was pronounced by him to be the very person. On the trial, the boy, the only material witness, gave his evidence so clearly and positively

stantial evidence was in readiness for the coroner's jury, that was summoned to inquire into the identity of the deceased and the cause of her death. The details were voluminous, and I shall therefore select only the most striking and material.

The most important and ample information was communicated by a young woman named Ellen Walsh. A few weeks before the finding of the remains, this person being at Kilrush, went down to the river-side in search of a passage across to Glyn, where she resided in service with a lady. It was then approaching sunset. Upon arriving at the shore, she found a small pleasure-boat on the point of putting off for Tarbert. Six persons were in the boat, a Mr. S——, a young woman who was addressed as Mrs. S——, Stephen Sullivan, Mr. S——'s servant, and three boatmen of the town of Kilrush. There was also on board a trunk belonging to Mrs. S——. The only one of the party of whom Ellen Walsh had any previous knowledge was Sullivan, whose native place was Glyn; and, upon addressing herself to him for a passage across, she was permitted to enter the boat. They immediately got under weigh, expecting to reach Tarbert before dark; but before they had proceeded any distance on their way across, they discovered that this was impracticable. In addition to an adverse tide, it came on to blow so hard against them that the boat made little or no way, so that they were kept out upon the water the whole of the night. Toward morning a heavy shower of rain fell, but, the wind having moderated, the rowers succeeded in reaching a small place below Tarbert, called Carrickafoyle. Here the party landed as the day began to dawn, and, taking the trunk along with them, proceeded to a small public-house in the village, to dry themselves and obtain refreshment. After breakfast, the boatmen, who had been hired for the single occasion of rowing the boat across the river, were dismissed and returned toward their homes.

and sustained the ordeal of a cross-examination so successfully, that the most incredulous could scarcely question his veracity. The prisoner, however, was fortunately able to prove an alibi, and escaped. A few months after, the real criminal, who had a mark on one of his cheeks, was apprehended, tried, and convicted upon evidence beyond all imputation

The boat, which (it afterward appeared) had been purchased a few days before by Mr. S——, remained. Shortly after the departure of the boatmen, Mr. S—— and Sullivan went out (they said to search for change of a note), and were absent about an hour, leaving Mrs. S—— and Ellen Walsh together in the public-house. And here it was that some particulars observed by the latter, when subsequently recalled to her recollection and disclosed, became of vital moment as matters of circumstantial evidence.

It has been already stated, that the body found by the fishermen, was without any covering save a small bodice; so that no direct evidence of identity could be established by ascertaining what particular dress Mrs. S—— wore; but indirectly, a knowledge of this fact (as will appear in the sequel), became of the first importance. Upon this subject Ellen Walsh was able to give some minute and accurate information. She had forgotten the color of the gown Mrs. S—— wore when they landed at Carrickafoyle, but she well remembered that she had on a gray cloth mantle lined with light blue silk, and with welts of a particular fashion in the skirts. She also wore a pink-colored silk handkerchief round her neck, and had on her finger two gold rings—one plain, the other carved. These Ellen Walsh had observed and noted before Mr. S—— and his servant left the public-house; but during their absence, Mrs. S—— opened the trunk, and, with the natural vanity of a young female, exhibited for her admiration several new articles of dress which it contained. Among other things, there were two trimmed spencers—one of green, the other of yellow silk; two thin muslin frocks—one plain, the other worked; and a green velvet reticule trimmed with gold lace.

Upon the return of Mr. S—— and Sullivan to the public-house, the weather having now cleared, they proposed to Mrs. S—— to go on board the boat. Ellen Walsh, understanding that Tarbert was their destination, desired to accompany them; but Sullivan, taking her aside, recommended to her to remain where she was until the following morning, adding (and this last observation was in the hearing of his master), that in

the meantime "they would get rid of that girl (Mrs. S——)," and then return and convey her to Glyn. This Ellen Walsh declined, and followed the party to the beach, entreating to be at least put across to the other side of a certain creek there, which would save her a round of several miles on her way homeward. At first they would not consent, and put off without her; but seeing her begin to cry, Mr. S—— and Sullivan, after a short consultation, put back the boat, and taking her in, conveyed her across the creek, and landed her about three miles below the town of Glyn. They then sailed away in the direction of the opposite shore, and she proceeded homeward.

Early next morning Ellen Walsh, having occasion to go out upon some errand, was surprised to see Sullivan standing at the door of his mother's house in Glyn. She entered the house, and the first thing she perceived was Mrs. S——'s trunk upon the floor. She asked if Mrs. S—— was in Glyn. Sullivan replied that "she was not; that they had shipped her off with the captain of an American vessel." Two or three days after, Ellen Walsh saw upon one of Sullivan's sisters a gray mantle, which she instantly recognised as the one Mrs. S—— had worn at Carrickafoyle. There was a woman at Glyn, named Grace Scanlon, with whom Mr. S——, when he went there, was in the habit of lodging. In this person's house Ellen Walsh some time after saw the silk handkerchief, one of the spencers, and the two muslin frocks which Mrs. S—— had shown her at Carrickafoyle. (These, it appeared from other evidence, had been sold to Grace Scanlon by Sullivan, who accounted to her for their coming into his possession, by stating that Mrs. S—— had run away from Kilrush with an officer, and left her trunk of clothes behind her.) Finally, about a fortnight after the disappearance of Mrs. S——, Ellen Walsh, going one evening into Grace Scanlon's house, found Mr. S—— and Sullivan sitting there. The former had on one of his fingers a gold carved ring, precisely resembling that worn by Mrs. S——. They both were under the influence of liquor, and talked much and loud. Among other things, Sullivan asked his master for some money; and on being efused,

observed emphatically, "Mr. John, you know I have as good a right to that money as you have."

Such were, in substance, the most material facts (excepting one particular hereafter mentioned), that had fallen under Ellen Walsh's observation; and, upon the magistrates being apprized that she had such evidence to give, she was summoned as a witness upon the inquest. She accordingly attended, and accompanied the coroner's jury to the place where the remains had been deposited by the fishermen. The circumstances she detailed were pregnant with suspicion against Mr. S—— and his servant. A young and defenceless female had disappeared. Upon the last occasion of her having been seen, she was in their company, in an open boat on the river Shannon. A declaration had been made by the servant, "that she was to be got rid of." On the very next day her trunk of clothes is seen in their possession, and, soon after, a part of the dress she wore in the boat on the servant's sister, and one of her rings on the master's finger; add to this the mysterious allusion to the money—"Mr. John, you know I have as good a right to that money as you have." A few weeks after, a body is washed ashore, near to the place where this young woman had been last seen—the body of a young female, who had manifestly been stripped, and murdered, and flung into the river, and exhibiting symptoms of decay (according to the report of the fishermen), that exactly tallied with the time of her suspected death.

On the other hand, there were some circumstances in the case, as detailed by Ellen Walsh, which justified the magistrates in considering that a jury should pause before they pronounced her evidence to be conclusive. Of Sullivan they had no knowledge; but his master they knew to be a young gentleman of some territorial property, of respectable parentage, and nearly allied by blood with more than one of the noble families of Ireland. This naturally compelled them to entertain some doubts. Then upon the supposition that he and his servant had concerted the murder of the young woman Ellen Walsh had seen with them, what could have been more clumsy and incautious than their previous and subsequent conduct? The

inference from her story of the transaction was, that the time and manner of executing their deadly purpose were finally determined upon during their absence from the public-house at Carrickafoyle. Yet the first thing they do upon their return is to inform her, without any kind of necessity for the communication, "that they want to get rid of that girl"—a declaration consistent enough with their subsequent account of her disappearance, but almost incredible if considered as a gratuitous disclosure by persons meditating the perpetration of an atrocious crime. They next permit the same person (as if determined that she should be a future witness against them) to see them bearing away their victim to the very scene of execution; and, finally, they appear the next day in the town of Glyn, and publicly exhibit themselves and the evidences of their crime to the very person from whose scrutiny and observation, upon the supposition of their guilt, they must have known they had so much to apprehend!

These conflicting views did not escape the attention of the magistrates who had undertaken the investigation of this affair. They saw that the case would continue involved in mystery, unless it could be unequivocally made to appear that the young woman seen by Ellen Walsh and the murdered person were the same. For this purpose, before they allowed the body to be disinterred for the inspection of the jury, they used the precaution of re-interrogating Ellen Walsh, as to every the minutest particular she could recall respecting the personal appearance of Mrs. S——. The witness stated she was extremely young, not more, she imagined, than fifteen or sixteen, and that her figure was short and slight. So far her description corresponded with that of the fishermen, who were also in attendance; but this would have been too feeble and general evidence of identity for a court of criminal inquiry to act upon with safety. The witness farther stated that Mrs. S—— was remarkably handsome, and gave the coroner's jury a minute description of her face; but no comparison of feature could now be availing. In the remains over which the investigation was holding, every natural lineament of the countenance must long since have been utterly effaced by death, and by the

equally disfiguring operation of the element to which they had been exposed. At length, however, the witness distinctly recalled to her recollection one peculiarity about Mrs. S——'s face, which, if she and the deceased were the same, might still be visible. The teeth were not perfectly regular. *Two of the upper row (one at each side) projected considerably.* This important clew having been obtained, the remains were disinterred, and found in the condition which the fishermen had described. The mouth was of course the first and chief object of minute inspection. The teeth of the upper jaw had all dropped out; but upon a careful examination of the sockets, two of the side ones were found to be of such a particular formation as satisfied the jury that the teeth belonging to them must of necessity have projected as the witness represented. Upon this fact, coupled with the other particulars of her testimony, they returned a verdict, finding that the deceased had been wilfully murdered by John S—— and Stephen Sullivan. Warrants were immediately issued for the apprehension of the parties accused, neither of whom (and this was not an immaterial circumstance) had been seen in public since the finding of the remains on the shore. The servant succeeded in concealing himself. The master was traced to a particular farmhouse in the county of Limerick, and followed thither by the officers of justice, accompanied by a party of dragoons. They searched the place ineffectually, and were retiring as from a fruitless pursuit, when one of the dragoons, as he was riding away, stuck his sabre, more in sport than otherwise, into a heap of straw that lay near the house. The sword met with no resistance, and the dragoon had already passed on, when a figure burst from beneath the straw and called out for mercy. It was Mr. S——.

From some passages in the statement of Ellen Walsh, it was sufficiently obvious that the deceased could not have been the wife of Mr. S——, and who she had been, remained to be discovered. Before the lapse of many days, this point was ascertained. There was an humble man named John Conroy, who had followed the trade of a shoemaker in one of the small towns of the county of Limerick. This person had humanely protected an orphan niece (named Ellen Hanlon), and brought

her up from her infancy in his house as one of his own children, till she attained her sixteenth year. She was uncommonly handsome, and, as he imagined, equally modest and trustworthy. Her uncle, who it appeared was an honest, industrious man, was in the habit of obtaining credit to a considerable amount for articles in the way of his trade from the wholesale dealers in Cork, which he regularly visited once a year for the purpose of discharging his engagements for the preceding, and obtaining a fresh supply for the ensuing year. A few weeks before the circumstances above detailed, Conroy was about to proceed to Cork according to his annual custom. He had then in his house one hundred pounds in notes, and twelve guineas in gold. On the Sunday preceding his intended departure, while he was at mass, Ellen Hanlon disappeared, and along with her the whole of his money. He never heard of her after, neither had he any knowledge of Mr. S——, but, from the description given of the young woman who had been with him on the Shannon, and more particularly from the coincidence of the peculiarity about the teeth, he was assured that his niece must have been the person, and was accordingly produced as a witness for the crown upon Mr. S——'s trial. The disclosure of these new facts, though it might have diminished in some degree the public sympathy for the fate of the victim, had a proportionate effect in aggravating every sentiment of horror against the prisoner, by superadding the crimes of seduction and robbery to murder.

The trial came on at the ensuing assizes for the county of Limerick. A clear case of circumstantial evidence, consisting mainly of the foregoing facts, was made out against the prisoner, who had nothing, save the ingenuity of his counsel, to offer in his defence. When the issue was handed up to the jury, it was supposed that they would return a verdict of conviction without leaving the box; but, contrary to expectation, they retired, and continued long engaged in consultation. The populace, who watched the proceedings with extraordinary interest, murmured at the delay. This was by no means a usual or characteristic sentiment; but at this particular period, and in this particular county, the minds of the lower orders

were already in rapid progress toward that point of political excitation, which soon after exploded in a formidable insurrection. Against the culprit or the crime they might have felt in the abstract no peculiar indignation; but he was a protestant and a gentleman, and they naturally contrasted the present hesitation to convict with the promptitude that, as they considered, would have been manifested had such evidence been adduced against any one of them. At length, late in the evening, a verdict of guilty was found. Sentence of death was pronounced, and the prisoner ordered for execution on the next day but one succeeding his conviction.

Some very unusual incidents followed. Before the judge left the bench, he received an application, sanctioned by some names of consideration in the county, and praying that he would transmit to the viceroy a memorial in the prisoner's favor. The judge, feeling the case to be one where the law should sternly take its course, refused to interfere. He was then solicited to permit the sentence to be at least respited to such a time as would enable those interested in the prisoner's behalf to ascertain the result of such an application from themselves. To this request the same answer was, for the same reasons, returned. There being, however, still time, if expedition were used, to make the experiment, a memorial, the precise terms of which did not publicly transpire, was that evening despatched by a special messenger to the seat of government. This proceeding was the subject of much and varied commentary. By some it was attributed to the prisoner's protestations of innocence — for he vehemently protested his innocence; by others to particular views and feelings, in which politics predominated; by the majority (and this conjecture appears to have been the true one), to an anxiety to avert, if possible, from the families of rank and influence with which the culprit was allied, the stigma of an ignominious execution.

The hour beyond which the law had said that this guilty young man should not be permitted to exist, was now at hand, and the special messenger had not returned. Yet, so confident were the prisoner's friends that tidings of mercy were on the way, that the sheriff humanely consented to connive at every

possible procrastination of the dreadful ceremony. He had already lived for more than two hours beyond his appointed time, when an answer from the castle of Dublin arrived. Its purport was, to bid him prepare for instant death. I have heard from a gentleman who visited his cell a few minutes after this final intimation, that his composure was astonishing. His sole anxiety seemed to be, to show that he could die with firmness. An empty vial was lying in the cell—"You have been taking laudanum, I perceive, sir," said the gentleman. "I have," he replied, "but not with the object that you suspect. The dose was not strong enough for that—I merely took as much as would steady my nerves." He asserted his innocence of all participation in the murder of Ellen Haulon, and declared that, if ever Sullivan should be brought to trial, the injustice of the present sentence would appear.

The friends of the prisoner were, for many and obvious reasons, desirous that he should be conveyed in a close carriage to the place of execution. Expecting a reprieve, they had neglected to provide one, and they now found it impossible to hire such a conveyance. Large sums were offered at the different places where chaises and horses were to be let; but the popular prejudice prevailed.* At last an old carriage was found exposed to sale, and purchased. Horses were still to be

* It is considered in Ireland, that whoever lends or hires cattle or conveyance at an execution participates in the abhorred vocation of the hangman. Before the "drop" was invented, the condemned was usually conveyed to the gallows in a cart, sitting on his coffin—unless it were part of his punishment that "his body be handed over to the surgeons for dissection." The finisher of the law, having adjusted the fatal rope on "the horse that was foaled of an acorn" (see Ainsworth's Jack Sheppard), and round the neck of the doomed man, whom he placed standing in the cart, used to descend on *terra firma*, take hold of the horse's head, draw away the cart, and thus give the death-fall to his victim. If any other person led the horse away, the disgrace of having virtually acted as executioner would cling to him through life. As I am on the subject, I may add that "Jack Ketch" is a *nom-de-corde* used only in England. The Irish nick-name, no matter what the true appellation, is "Canty the hangman," and the miserable wretch is compelled, out of regard for his personal safety, to reside in prison. If recognised out of doors, his life would not be worth half-an-hour's purchase, so great is the popular detestation of his trade of legal murder.—M.

provided, when two turf-carts, belonging to tenants of the prisoner, appeared moving into the town. The horses were taken from under the carts, and harnessed to the carriage. To this the owners made no resistance; but no threats or entreaties could induce either of them to undertake the office of driver. After a further delay occasioned by this difficulty, a needy wretch among the bystanders was tempted by the offer of a guinea to take the reins and brave the ridicule of the mob. The prisoner, accompanied by the jailer and clergyman, was put into the carriage, and the procession began to advance. At the distance of a few hundred yards from the jail, a bridge was to be passed. The horses, which had shown no signs of restiffness before, no sooner reached the foot of the bridge than they came to a full stop. Beating, coaxing, cursing — all were unavailing; not an inch beyond that spot could they be made to advance. The contest between them and the driver terminated in one of the horses deliberately lying down amid the cheers of the mob. To their excited apprehensions, this act of the animal had a superstitious import. It evinced a preternatural abhorrence of the crime of murder — a miraculous instinct in detecting guilt, which a jury of Irish gentlemen had taken hours to pronounce upon.

Every effort to get the carriage forward having failed, the prisoner was removed from it, and conducted on foot to the place of execution. It was a solemn and melancholy sight as he slowly moved along the main street of a crowded city, environed by military, unpitied by the populace, and gazed at with shuddering curiosity from every window. For a while the operation of the laudanum he had drunk was manifest. There was a drowsy stupor in his eye as he cast it insensibly around him. Instead of moving continuously forward, every step he made in advance seemed a distinct and laborious effort. Without the assistance of the jailer and clergyman who supported him between them, he must, to all appearance, have dropped on the pavement. These effects, however, gradually subsided, and before he arrived at the place of execution his frame had resumed its wonted firmness. The conduct of the prisoner in his last moments had nothing remarkable; yet it

suggests a few remarks, and furnishes a striking illustration upon a subject of some interest as connected with the administration of justice in Ireland.

In that country an extraordinary importance is attached to dying declarations. In cases exciting any unusual interest, no sooner is a convicted person handed over to the executioner, than he is beset on all sides with entreaties to make what is called a last satisfaction to justice and to the public mind, by an open confession of his guilt. As between the convict and the law, such a proceeding is utterly nugatory. If he denies his guilt, he is not believed; if he admits it, he only admits a fact so conclusively established, as to every practical purpose, that any supplemental corroboration is superfluous. If the verdict of a jury required the sanction of a confession, no sentence could be justifiably executed in any case where that sanction was withheld. But this could not be. In submitting the question of guilt or innocence to the process of a public trial, we apply the most efficacious method that our laws have been able to devise for the discovery of the truth. The result, like that of all other questions depending upon human testimony, may be erroneous. The condemned may be a martyr; for juries are fallible: but, for the purposes of society, their verdict must be final, except upon those rare occasions where its propriety is subsequently brought into doubt by new evidence, emanating from a less questionable source than that of the party most interested in arraigning it.

Then, as far as regards the satisfaction of the public mind with the justice of the conviction (for upon this great stress is also laid), the public should never be encouraged to require a higher degree of certainty than the law requires. But the practice of harassing convicts for a confession before the crowds assembled to witness their execution, produces this effect. — It teaches them to divert their attention from the best and only practical test of a question that should no longer be at issue, and to set a value upon a test the most deceptive that can be imagined. A voluntary admission of guilt may, to be sure, be depended on; but, after conviction, no kind of reliance can be placed upon the most solemn asseverations to

the contrary. Death and eternity are dreadful things; and it is dreadful to think of wretches determined to brave them with a deliberate falsehood upon their lips; yet there are men — many — that have the nerve to do this. In Ireland it is of frequent occurrence; particularly in cases of conviction for political offences, and, more or less, in all others. A regard for posthumous reputation — the false glory of being remembered as a martyr — a stubborn determination to make no concession to a system of laws that he never respected — concern for the feelings and character of relatives, by whom a dying protestation of innocence is cherished, and appealed to as a bequest to the honor of a family-name: these and similar motives attend the departing culprit to the final scene, and prevail to the last over every suggestion of truth and religion. It was so in the case I am now narrating. At the place of execution, the prisoner was solemnly adjured by the clergyman in attendance to admit the justice of his sentence: he as solemnly re-asserted his innocence. The cap was drawn over his eyes, and he was about to be thrown off. An accidental interruption occurred. The clergyman raised the cap, and once more appealed to him as to a person upon whom the world had already closed. The answer was: "I am suffering for a crime in which I never participated. If Sullivan is ever found, my innocence will appear."

Sullivan *was* found before the next assizes, when he was tried and convicted upon the same evidence adduced against his master. Sullivan was a catholic; and after his conviction made a voluntary and full confession. It put the master's guilt beyond all question. The wretched girl, according to his statement, had insisted upon retaining in her own hands one half of the sum of which she had robbed her uncle. To obtain this, and also to disembarrass himself of an incumbrance, her seducer planned her death. Sullivan undertook to be the executioner. After setting Ellen Walsh on shore, they returned to an unfrequented point near Carrickafoyle, where the instrument of murder, a musket, and a rope, lay concealed. With these and the unsuspecting victim, Sullivan put out in the boat. The master remained upon the strand.

After the interval of an hour, the boat returned, bearing back Ellen Hanlon unharmed. "I thought I had made up my mind," said the ruffian in his penitential declaration; "I was just lifting the musket to dash her brains out—*but when I looked in her innocent face, I had not the heart to do it.*" This excuse made no impression upon the merciless master. Sullivan was plied with liquor, and again despatched upon the murderous mission; the musket was once more raised, and—the rest has been told.*

* It may be mentioned as a striking instance of the belief in the declaration (made by no less a person than Lord Redesdale, who had been Irish lord-chancellor), "in Ireland there is one law for the rich, and another for the poor," that there are yet hundreds in the county of Limerick, who were present at this execution, and seriously believed that it was not Mr. Scanlan who was hanged, but some other prisoner who was rendered unconscious by means of strong narcotics. It was currently reported that, because he was a gentleman, Scanlan was allowed to escape to the United States, where he eventually came to a violent death! It is notorious that after the public execution of Fauntleroy, the London banker, for forgery, a motion for delay, in some case where a large amount of property was involved, was actually made in one of the law-courts at Westminster, grounded in an affidavit that Fauntleroy was alive in America, and that a commission should be sent over to take his examination as a witness. The motion was refused, as the fact of his continued existence was not *positively* sworn to, but it is surprising that the lawyer who made, and the judge who heard the motion, should have forgotten the plain and undoubted fact, that having been capitally condemned, Fauntleroy was *dead in law*, and his evidence, therefore, quite valueless.—M.

HALL OF THE FOUR COURTS, DUBLIN

The law, and the practice of the courts, in Ireland, are, with some trivial exceptions, precisely the same as in England;* but the system of professional life in Ireland is in some respects different. I allude to the custom, which the Irish bar have long since adopted, of assembling daily for the transaction of business, or in search of it, if they have it not, in the "Hall of the Four Courts," Dublin. The building itself is a splendid one. Like the other public edifices of Dublin (and I might add, the private ones), it is an effort of Irish pride, exceeding far in magnificence the substantial wealth and civilization of the country. In the centre of the interior, and overcanopied by a lofty dome, is a spacious circular hall, into which the several courts of justice open.

I was fond of lounging in this place. From the hours of twelve to three it is a busy and a motley scene. When I speak of it as the place of daily resort for the members of the legal profession and their clients, I may be understood to mean that it is the general rendezvous of the whole community; for in Ireland almost every man of any pretensions that you meet, is either a plaintiff or defendant, or on the point of becoming so, and, when in Dublin, seldom fails to repair at least once a day to "the Hall," in order to look after his cause, and, by conferences with his lawyers, to keep up his mind to the true

* There are no regular reports of the Irish cases. All the new authorities are imported from England; so that the accident of a fair or foul wind may sometimes affect the decision of a cause. "Are you sure, Mr. Plunket," said Lord Manners, one day, "that what you have stated is the law?"—"It unquestionably was the law half an hour ago," replied Mr. P. pulling out his watch, "but by this time the packet has probably arrived, and I shall not be positive."

litigating temperature. It is here, too, that the political idlers of the town resort, to drop or pick up the rumors of the day. There is also a plentiful admixture of the lower orders, among whom it is not difficult to distinguish the country-litigant. You know him by his mantle of frieze, his two boots and one spur; by the tattered lease, fit emblem of his tenement, which he unfolds as cautiously as Sir Humphrey Davy would a manuscript of Herculaneum; and, best of all, by his rueful visage, in which you can clearly read that some clause in the last ejectment-act lies heavy on his heart.

These form the principal materials of the scene; but it is not so easy to enumerate the manifold and ever-shifting combinations into which they are diversified. The rapid succession of so many objects, passing and repassing eternally before you, perplexes and quickly exhausts the eye. It fares still worse with the ear. The din is tremendous. Besides the tumult of some thousand voices in ardent discussion, and the most of them raised to the declamatory pitch, you have ever and anon the stentorian cries of the tipstaffs, bawling out, "The gentlemen of the special jury to the box!" or the still more thrilling vociferations of attorneys or attorneys' clerks, hallooing to a particular counsel that "their case is called on, and all is lost if he delays an instant!" Whereupon the counsel, catching up the sound of his name, wafted through the hubbub, breaks precipitately from the circle that engages him, and bustles through the throng, escorted, if he be of any eminence, by a *posse* of applicants, each claiming to monopolize him, until he reaches the entrance of the court, and, plunging in, escapes for that time from their importunate solicitations.

The bustle among the members of the bar is greatly increased by the circumstance of them all, with very few exceptions, practising in all the courts.* Hence at every moment

* The custom that prevails in Ireland, of counsel dividing themselves among the several courts, produces, particularly in important cases, an inconvenience similar to one that Cicero complains of as peculiar to the Roman forum in his day—the multiplicity of advocates retained upon each trial, and the absence of some of them during parts of the proceedings upon which they have afterward to comment.

you see the most eminent darting across the hall, flushed and palpitating from the recent conflict, and, no breathing-time allowed them, advancing with rapid strides and looks of fierce intent, to fling themselves again into the thick of another fight. It daily happens that two cases are to be heard in different courts, and in which the same barrister is the client's main support, are called on at the same hour. On such occasions it is amusing to witness the contest between the respective attorneys to secure their champion.

Mr. O'Connell, for instance, who is high in every branch of his profession, and peculiarly in request for what is termed "battling a motion," is perpetually to be seen, a conspicuous figure in this scene of clamor and commotion, balancing between two equally pressing calls upon him, and deploring his want of ubiquity. The first time he was pointed out to me, he was in one of these predicaments, suspended like Garrick in the picture between conflicting solicitations. On the one side an able-bodied, boisterous catholic attorney, from the county of Kerry, had laid his athletic gripe upon "the counsellor," and swearing by some favorite saint, was fairly hauling him along in the direction of the Exchequer; on the other side a more polished town-practitioner, of the established faith, pointed with pathetic look and gesture to the Common Pleas, and in tones of agony implored the learned gentleman to remember that "their case was actually on, and that if he were not at his post, the court would grant the motion, costs and all, against their client." On such occasions a counsel has a delicate task; but long habit enables him to assume a neutrality, if he has it not. In the instance alluded to, I could not sufficiently admire the intense impartiality manifested by the subject of contention toward each of the competitors for his learned carcass; but the physical force of the man from Kerry, aided perhaps by some local associations—for the counsellor is a "Kerry-man" himself—prevailed over all the moral wooing of his rival, and he carried off the prize.

The preceding are a few of the constant and ever-acting elements of noise and motion in this busy scene; but an extra sensation is often given to the congregated mass. The detec-

tion of a pickpocket (I am not speaking figuratively) causes a sudden and impetuous rush of heads, with wigs and without them, to the spot where the culprit has been caught *in flagrante*. At other times the scene is diversified by a group of fine girls from the country, coming, as they all make a point of doing, to see the courts, and show themselves to the junior bar. A crowd of young and learned gallants instantaneously collects, and follows in their wake: even the arid veteran will start from his legal revery as they pass along, or, discontinuing the perusal of his deeds and counterparts, betray by a faint leer that, with all his love of parchment, a fine skin, glowing with the tints that life and nature gave it, has yet a more prevailing charm. Lastly, I must not omit that the Hall is not unfrequently thrown into "confusion worse confounded" by that particular breach of his majesty's Irish peace, improperly called a "horsewhipping." When an insult is to be avenged, this place is often chosen for its publicity as the fittest scene of castigation.

But this scene, though at first view the emblem of inextricable confusion, will yet, when frequently contemplated, assume certain forms approaching to regular combination: thus, after an attendance of a few days, if you perambulate the arena, or stand upon some elevated point from which you can take in the whole, you will recognise, especially among the members of the bar, the same individuals, or classes, occupied or grouped in something like an habitual manner. On the steps outside the entrance to the Court of Chancery, your eye will probably be caught by the imposing figure and the courteous and manly features of Bushe,* waiting there till his turn comes to refute some long winded argument going on within, and to which, as a piece of forensic finesse, he affects a disdain to listen: or, near the same spot, you will light upon the less social but more pregnant and meditative countenance of Plunket,† as he paces to and fro alone, resolving some matter of imperial moment, until he is roused from these more congenial musings, and hurries on to court, at the call of the shrill-tongued crier, to simplify or em-

* Charles Kendal Bushe, afterward lord chief-justice of Ireland.—M.

† Now Lord Plunket, ex-lord chancellor of Ireland.—M.

barrass some question of equitable altercation: or, if it be a *nisi-prius* day in any of the law-courts, you may observe outside, the delight of Dublin jurors, Mr. H. D. Grady, working himself into a jovial humor against the coming statement, and with all the precaution of an experienced combatant, squibbing his "jury-eye," lest it should miss fire when he appears upon the ground.

Or, to pass from individuals to groups, you will daily find, and pretty nearly upon the same spot, the same little circles or coteries, composed chiefly of the members of the junior bar, as politics, or community of tastes, or family connections, may bring them together. Among these you will readily distinguish those who by birth or expectations consider themselves to be identified with the aristocracy of the country: you see it in their more fashionable attire and attitudes, their joyous and unworn countenances, and in the lighter topics of discussion on which they can afford to indulge. At a little distance stands a group of quite another stamp—pallid, keen-eyed, anxious aspirants for professional employment, and generally to be found in vehement debate over some dark and dreary point of statute or common law, in the hope that, by violently rubbing their opinions together, a light may be struck at last. A little farther on you will come upon another, a group of learned vetoists and anti-vetoists, where some youthful or veteran theologian is descanting upon the abominations of a schism, with a running accompaniment of original remarks upon the politics of the Vatican, and the character of Cardinal Gonsalvi. Close to these again—but I find that I should never have done, were I to attempt comprising within a single view the endless and complicated details of this panoramic spectacle, or to specify the proportions in which the several subjects discussed here respectively contribute to form the loud and ceaseless buzz that rises and reverberates through the roof.

This daily assemblage of the Irish Bar, in a particular spot, enables you to estimate at a glance the extraordinary numbers of that body, and to perceive what an enormous excess they bear to the professional occupation which the country can by possibility afford. After all the Courts are filled to the brim,

there still remains a legal population to occupy the vast arena without. I was particularly struck by the number of young men (many of them, I was assured, possessed of fine talents, which, if differently applied, must have forced their way) who from term to term, and year to year, submit to "trudge the Hall," waiting till their turn shall come at last, and too often harassed by forebodings that it may never come. It was not difficult to read their history in their looks: their countenances wore a sickly, pallid, and jaded expression,* the symbols of hope deferred, if not extinguished; there was even something, as they sauntered to and fro, in their languid gait and undecided movements, from which it could be inferred that their sensations were melancholy and irksome. I was for some time at a loss to account for this extreme disproportion between the supply and the demand—so much greater than any ever known to exist in England.

During my stay in Dublin, I accidentally fell into conversation with an intelligent Irish gentleman, who in the early part of his life had been connected for some years with the

* I have heard several medical men of Dublin speak of the air of the courts and hall, as particularly unwholesome. Besides the impurity communicated to the atmosphere by the crowds that collect there, the situation is low and marshy. The building is so close to the river Liffey, that fears have been entertained for the safety of the foundation. Formerly, before the present quay was constructed, the water in high tides sometimes made its way into the hall. The mention of this reminds me of one or two of Curran's jokes:—upon one occasion, not only the hall, but the subterraneous cellars in which the bar-dresses are kept, were inundated. When the counsel went down to robe, they found their wigs and gown afloat; Curran, for whom a cause was waiting seized the first that drifted within reach, and appeared in court, dripping like a river-god. "Well, Mr. Curran," asked one of the judges, "how did you leave your friends coming on below?"—"*Swimmingly*, my lord." In the course of the morning, one of these learned friends (who, from missing his footing, had come in for a thorough sousing) repeatedly protested to their lordships, that he should feel *ashamed* to offer such and such arguments to the court. Curran, in reply, complimented him upon his delicacy of feeling, which he represented as "truly a high and rare strain of modesty, in one who had just been *dipped in the Liffey*." [As an Irishman who has that facility of speech and compliment called "the gift of the gab," is usually mentioned as having *kissed the Blarney-stone;* so if a native be particularly impudent (which is impossible, of course!) it is said that he has been *dipped in the Liffey*—the river which runs through Dublin.—M.

profession of the law. I mentioned what I had observed, and asked for an explanation. He gave it pretty nearly as follows; I am inclined to confide in what he stated as substantially correct. — "Your remark is just, that our bar is grievously overstocked; and crowds of fresh members are flocking to it every term, as if for the sole purpose, and certainly with the effect, of starving one another. If the annual emoluments of the profession were collected into a common fund, and equally distributed among the body, the portion of each would not exceed a miserable pittance. The inordinate preference for the profession of the bar in Ireland arises from many causes. As one of the chief, I shall mention the preposterous ambition of our gentry, and their fantastic sensitiveness on the article of 'family pride.' An Irish father's first anxiety is to give his son a calling in every way befitting the ancient dignity of his name; and in this point of view, the bar has peculiar attractions. It is not merely that it may, by possibility, lead to wealth, or perhaps, to a peerage or a seat in the privy council — though these are never left out of the account — but, independently of all this, an adventitious dignity has been conferred upon it, as a profession, by the political circumstances of the country. Until the act of 1792, no Catholic could become a barrister: all the emoluments and dignities of the law were the exclusive property of the privileged few; and they were so considerable, that the highest families in the kingdom rushed in to share them. This stamped an aristocratic character and importance upon the profession. To be a 'counsellor' in those days, was to be no ordinary personage. Many of them belonged to noble houses; many were men of name and authority in the state; all of them, even the least distinguished, caught a certain ray of glory from the mere act of association with a favored class, contending for the most dazzling objects of competition. Much of this has passed away; but a popular charm, I should rather say a delusion, still attaches to the name; and parents, duped by certain vague and obsolete associations, continue to precipitate their sons into this now most precarious career, without the least advertence to their substantial prospects of success, and in utter

ignorance of the peculiar habits and talents required to obtain it. It is a common by-word with us, that 'no one who really deserves to succeed at our bar, will fail.' This may be very true; but what a complication of qualities, what a course of privation, what trials of taste, and temper, and pride, are involved in that familiar and ill-understood assertion.

"A young barrister who looks to eminence from his own sheer unaided merits, must have a mind and frame prepared by nature for the endurance of unremitting toil. He must cram his memory with the arbitrary principles of a complex and incongruous code, and be equally prepared, as occasion serves, to apply or misapply them. He must not only surpass his competitors in the art of reasoning right from right principles—the logic of common life; but he must be equally an adept in reasoning right from wrong principles, and wrong from right ones. He must learn to glory in a perplexing sophistry, as in the discovery of an immortal truth. He must make up his mind and his face to demonstrate, in open court, with all imaginable gravity, that nonsense is replete with meaning, and that the clearest meaning is manifestly nonsense by construction. This is what is meant by 'legal habits of thinking;' and to acquire them, he must not only prepare his faculties by a course of assiduous and direct cultivation, but he must absolutely forswear all other studies and speculations that may interfere with their perfection. There must be no dallying with literature; no hankering after comprehensive theories for the good of men; away must be wiped all such 'trivial fond records.' He must keep to his digests and indexes. He must see nothing in mankind but a great collection of plaintiffs and defendants, and consider no revolution in their affairs as comparable, in interest, to the last term reports of points of practice decided in *banco regis*. As he walks the streets, he must give way to no sentimental musings. There must be no 'commercing with the skies;' no idle dreams of love, and rainbows, and poetic forms, and all the bright illusions upon which the 'fancy free' can feast. If a thought of love intrudes, it must be connected with the law of marriage settlements, and articles of separation from bed and board. So

of the other passions; and of every the most interesting incident and situation in human life—he must view them all with reference to their 'legal effect and operation.' If a funeral passes by, instead of permitting his imagination to follow the mourners to the grave, he must consider how far the executor may not have made himself liable for a waste of assets, by some supernumerary plumes and hatbands, beyond 'the state and circumstances of the deceased;'—or if his eye should light upon a requisition for a public meeting, to petition against a grievance, he must regard the grievance as immaterial, but bethink himself whether the wording of the requisition be strictly warrantable, under the provisions of the Convention Act.

"Such is a part, and a very small part, of the probationary discipline to which the young candidate for forensic eminence must be prepared to submit; and if he can hold out for ten or fifteen years, his superior claims may begin to be known and rewarded. But success will bring no diminution of toil and self-denial. The bodily and mental labor alone of a successful barrister's life would be sufficient, if known beforehand, to appal the stoutest. Besides this, it has its many peculiar rubs and annoyances. His life is passed in a tumult of perpetual contention, and he must make up his sensibility to give and receive the hardest knocks. He has no choice of cases; he must throw himself heart and soul into the most unpromising that is confided to him. He must fight pitched battles with obstreperous witnesses. He must have lungs to outclamor the most clamorous. He must make speeches without materials. He must keep battering for hours at a jury that he sees to be impregnable. He is before the public, and at the mercy of public opinion, and if every nerve be not strained to the utmost to achieve what is impossible, the public, with its usual good-nature, will attribute the failure to want of zeal or capacity in the advocate—to anything rather than the badness of the cause. Finally, he must appear to be sanguine, even after a defeat; and be prepared to tell a knavish client, that has been beaten out of the courts of common law, that his 'is a clear case for relief in equity.' The man who can do all this de-

serves to succeed, and will succeed; but unless he be gifted with the rare qualifications of such men as Curran,* Bushe, and Plunket, or be lifted by those fortuitous aids upon which few have a right to count, he can not rationally expect to arrive at eminence in his profession upon less rigorous conditions.

"Hitherto," continued my informant, "I have been speaking of such as come to the bar as simply and solely to a scene of professional exertion; but there is another and a still more numerous class, who are sent to it for the sake of the lucrative offices with which it abounds. It was no sooner discovered that our bar was uninfluential, and likely, on occasions, to be a troublesome body in the state, than the most decisive measures were taken to break its spirit. Places were multiplied beyond all necessity and all precedent in England. By a single act of Parliament, two and thirty judicial offices were created, to be held by barristers of six years' standing, and averaging each from five to eight hundred pounds a year. This was one of the political measures of the late Lord Clare,†

* John Philpot Curran, formerly master of the rolls in Ireland (born in 1750, and died in 1817), memorable alike for genius and geniality — eloquence and patriotism — wit and pathos. His forensic exertions in defence of the victims of arbitrary power, during the closing years of the last century, were alike fearless, independent, and chivalrous.—M.

† John Fitzgibbon, Earl of Clare, who is described by Barrington as a "des pot and the greatest enemy Ireland ever had," was the son of a gentleman in the county of Limerick, who had been a Roman catholic, and intended for a priest, but changing his tenets, became an eminent barrister and member of Parliament. It is untrue, as reported, that Fitzgibbon was originally poor and of low birth; one of his sisters married Mr. Jeffreys, the rich owner of Blarney Castle, and is immortalized in song as

"——Lady Jeffreys who owns this station.
Like Alexander or like Helen fair,
There's no commander throughout the nation,
In emulation can with her compare,"

and the other espoused Beresford, Archbishop of Tuam. Born in 1749, John Fitzgibbon entered Trinity college, Dublin, in 1763, where he was in the same division with Henry Grattan, with whom he competed for collegiate honors, many of which he obtained. It is not generally known that, after obtaining his B. A. degree, he was a member of Christ Church, Oxford, having been admitted *ad eundem*, and became M. A. of the English university, in 1770. Admitted barrister, in Dublin, he speedily obtained extensive practice. His fee-book

an able lawyer, and excellent private character; but, like many other sound lawyers and worthy gentlemen, a most mischievous statesman. He had felt in his own experience how far the receipt of the public money may extinguish a sensibility to public abuses. And he planned and passed the bar-bill. The same policy has been continued to the present day. The profession teems with places of emolument; and the consequence is, that every subdivision of the 'parliamentary interest' deputes its representative, to get forward in the ordinary way, as talents or chance may favor him, but at all events to receive, in due time, his distributive portion of the general patronage.

"I must add, as highly to the credit of the Irish bar, that their personal independence, in the discharge of their professional duties, has continued as it used to be in the best days of their country. The remark applies to the general spirit of

showed that from June 19, 1772, when he commenced practice, until December, 1789, he received forty-five thousand nine hundred and twelve pounds sterling, from his profession. In 1782 his income was six thousand, seven hundred and two pounds sterling. In 1784, he was appointed Attorney-General, owing his elevation as much to his political support of the Government, as member of Parliament, as to his legal merit. On the death of Lord Chancellor Lifford, in 1789, Mr. Fitzgibbon was appointed his successor (not without violent opposition from Thurlow, Chancellor of England, who contended that his Irish birth should prevent his holding the highest law-office in Ireland), and from that time until his death, in January, 1802, was virtually ruler of Ireland—intolerant, harsh, and unforgiving. In the earlier part of his career, having fought a duel with Mr. Curran (at whom he took deliberate aim), he continued his resentment after he became Judge, and let it be seen, by contemptuous treatment and hostile decisions, that the great advocate had not "the ear of the Court." In 1789, he was created Baron Fitzgibbon, in the peerage of Ireland. In 1793, he was advanced to the rank of Viscount. In 1795, he was made Earl of Clare, and was created an English Baron in 1799, in reward for his severity during the Rebellion of '98. He was appointed Vice-Chancellor of Dublin University, in 1791. Moore, in the auto-biographical prefaces to his poems, gives an interesting account of the searching examination to which he and other young members of Trinity College were subjected by Lord Clare under suspicion of holding "rebellious principles." Implacable in his political and personal enmities, Lord Clare had few friends. He ruled with a rod of iron, and for twelve years was hated by the bulk of the Irish, whom he so much, and so long oppressed.—M.

the entire body. There may be exceptions that escaped my observation; but I could perceive no symptoms of subserviency —no surrender of the slightest tittle of their clients' rights to the frowns or impatience of the bench. I was rather struck by the peculiarly bold and decisive tone, with which, when occasions arose, they asserted the privileges of the advocate.

"While I am upon this subject, I can not omit a passing remark upon another quality, by which I consider the gentlemen of this bar to be pre-eminently distinguished—the invariable courtesy of manners which they preserve amid all the hurry and excitement of litigation. The present Chancellor of Ireland,* himself a finished gentleman, was struck upon his arrival 'by the peculiarly gentlemanlike manner in which he observed business transacted in his court.' Mr. Bushe is the great model of this quality. He hands up a point of law to the bench with as much grace and pliancy of gesture, as if he were presenting a court-lady with a fan. This excessive finish is peculiar to himself; but the spirit which dictates it is common to the entire profession. Scenes of turbulent altercation are inevitably frequent, and every weapon of disputation —wit and sneers, and deadly brain-blows—must be employed and encountered; but the contest is purely intellectual: it is extremely rare, indeed, that anything approaching to an offensive personality escapes. No ultra-forensic warmth occurs in the Irish courts. It is avoided on common principles of good taste: it is also prevented, if I am rightly informed, by the understood feeling that anything bordering upon personal rudeness must infallibly lead to a settlement out of Court."†

When I first frequented the courts in Dublin, I went entirely with the view of witnessing the specimens of forensic talent displayed there. I found more than I had expected; and one circumstance that very forcibly struck me demands a few words apart. I would recommend to any stranger wishing to

* The late Lord Manners.—M.

† Sir Jonah Barrington, in the amusing "Personal Sketches of his own Time," dedicates a chapter to the Fire-eaters of Dublin, and gives a list of leading personages (including about a dozen judges) who had fought duels in his time. He says: "The number of killed and wounded among the bar was very considerable. The other learned professions suffered much less."—M.

obtain a thorough insight into the state of manners and morals in the interior of Ireland, without incurring the risk of a visit to the remoter districts, to attend, upon a few motion-days, in any of the Irish courts of common-law. A large portion of these motions relate to ineffectual attempts to execute the process of the law; and the facts that daily come out, offer a frightful and most disgraceful picture of the lawless habits of the lower, and also, I regret to add, of the higher orders of the community. One of our judges in Westminster Hall would start from his seat in wonder and indignation at the details of scenes to which the Irish judges, from long familiarity, listen almost unmoved, as to mere ordinary outrages of course. The office of a process-server in Ireland appears to be, indeed, a most perilous occupation, and one that requires no common qualities in the person that undertakes it: he must unite the courage and strength of the common soldier with the conduct and skill in stratagem of the experienced commander; for wo betide him, if he be deficient in either. The moment this hostile herald of the law is known to be hovering on the confines of a Connaught gentleman's domain (that sacred territory into which his Majesty's writs have no right to run), the proud blood of the defendant swells up to the boiling point, and he takes the promptest measures to repel and chastise the intruder: he summons his servants and tenants to a council of war; he stiffens their fidelity by liberal doses of "mountain-dew;"* they swear they will stand by "his honor" to the last. Preparations as against a regular siege ensue; doors and windows are barred; sentinels stationed; blunderbusses charged; approved scouts are sent out to reconnoitre; and skirmishing parties, armed with cudgels and pitchforks, are detached along every avenue of approach. Having taken these precautions, the magnanimous defendant shuts himself up in his inmost citadel to abide the issue. The issue may be anticipated; the messenger of the law is either deterred from coming near, or, if he has the hardihood to face the danger, he is waylaid and

* Illicit whiskey—so called, from being generally distilled on the mountainous tracts. [Sometimes called *potheen*, as made in a little pot, or *Innoshowen*, from the locality where the best was produced.—M.]

beaten black and blue for his presumption: if he shows the King's writ, it is torn from him, and flung back in fragments in his face. Resistance, remonstrance, and entreaties, are all unavailing; nothing remains for him but to effect his retreat, if the power of moving be left him, to the nearest magistrate, not in the interest of the defendant, where with the help of some attorney that will venture to take a fee against "his honor," he draws up a bulletin of his kicks and bruises in the form of an affidavit, to ground a motion that "another writ do issue;" or, as it might be more correctly worded, "that another process-server do expose himself to as sound a thrashing as the last." This is not an exaggerated picture; and in order to complete it, it should not be omitted that the instigator of the outrage, as soon as he can with safety appear abroad, will, to a certainty, be found among the most clamorous for proclamations and insurrection-acts, to keep down the lawless propensities of his district.*

I have offered a specimen of Irish society, as I could collect it from affidavits daily produced in court; yet, shocking and disgusting as the details are, I confess it is not easy to repress a smile at the style in which those adventurous scenes are described. The affidavits are generally the composition of country attorneys. The maltreated process-server puts the story of his injured feelings and beaten carcase into the hands

* Considerable ingenuity used to be exercised in the treatment of process servers in Ireland. It was said, as a sort of boast, that "the King's writ would not run in Connaught." This meant that nobody could serve it. To say of any stranger, in that district, that he looked like a process-server, was to condemn him, at the least, to an utter impossibility of obtaining food, fire, and lodging, whether for love or money. If a man were found with a copy of a writ in his pocket, waiting the opportunity to serve it on a popular defendant, he was simply condemned, in the first instance, to make a meal, scrap by scrap, until they were consumed, of the parchment original and the paper copy. If detected a second time, the common penalty was to have his ears cut off. A third attempt was rarely made, the punishment being to take off the culprit's shirt, hold him on the ground, and draw a thorny furze-bush over his back, to and fro, until it was shockingly lacerated. This agreeable and humane practice, which was called *carding*, chiefly prevailed in Tipperary. At present, among other changes in Ireland, is the tolerance of legal satellites. Writs now "run" in Connaught and Tipperary, quite as freely as in Devonshire or Durham.—M.

of one of these learned penmen; and I must do them the justice to say, that they conscientiously make the most of the task confided to them. They have all a dash of national eloquence about them; the leading qualities of which, metaphor, pathos, sonorous phrase, impassioned delineation, &c., they liberally embody with the technical details of facts, forming a class of oratory quite unknown to the schools—"The Oratory of the Affidavit." What British adviser, for instance, of matters to be given in on oath, would venture upon such a poetical statement as the following, which I took down one day in the Irish Court of Common Pleas: "And this deponent farther saith, that on arriving at the house of the said defendant, situate in the county of Galway aforesaid, for the purpose of personally serving him with the said writ, he the said deponent knocked three several times at the outer, commonly called the hall-door, but could not obtain admittance; whereupon this deponent was proceeding to knock a fourth time, when a man, to this deponent unknown, holding in his hands a musket or blunderbuss, loaded with balls or slugs, as this deponent has since heard and verily believes, appeared at one of the upper windows of said house, and, presenting said musket or blunderbuss at this deponent, threatened, that 'if said deponent did not instantly retire, he would send his, this deponent's, soul to hell;' *which this deponent verily believes he would have done*—had not this deponent precipitately escaped."

DANIEL O'CONNELL.

If any one, being a stranger in Dublin, should chance, as you return upon a winter's morning from one of the "small and early" parties of that raking metropolis—that is to say, between the hours of five and six o'clock—to pass along the south side of Merrion Square,* you will not fail to observe that among those splendid mansions there is one evidently tenanted by a person whose habits differ materially from those of his fashionable neighbors. The half-opened parlor-shutter, and the light within, announce that some one dwells there whose time is too precious to permit him to regulate his rising with the sun's. Should your curiosity tempt you to ascend the steps, and, under cover of the dark, to reconnoitre the interior, you will see a tall, able-bodied man standing at a desk, and immersed in solitary occupation. Upon the wall in front of him there hangs a crucifix. From this, and from the calm attitude of the person within, and from a certain monastic rotundity about his neck and shoulders, your first impression will be, that he must be some pious dignitary of the Church of Rome absorbed in his matin devotions.

But this conjecture will be rejected almost as soon as formed. No sooner can the eye take in the other furniture of the apartment—the book-cases clogged with tomes in plain calf-skin binding, the blue-covered octavos that lie about on the tables and the floor, the reams of manuscript in oblong folds and begirt with crimson tape—than it becomes evident that the party meditating amid such objects must be thinking far more

* One of the principal squares in Dublin, in which Mr. O'Connell resided for about thirty years.—M.

of the law than the prophets. He is, unequivocally, a barrister, but apparently of that homely, chamber-keeping, plodding cast, who labor hard to make up by assiduity what they want in wit—who are up and stirring before the bird of the morning has sounded the retreat to the wandering spectre—and are already brain-deep in the dizzying vortex of mortgages and cross-remainders, and mergers and remitters; while his clients, still lapped in sweet oblivion of the law's delay, are fondly dreaming that their cause is peremptorily set down for a final hearing. Having come to this conclusion, you push on for home, blessing your stars on the way that you are not a lawyer, and sincerely compassionating the sedentary drudge whom you have just detected in the performance of his cheerless toil.

But should you happen, in the course of the same day, to stroll down to the Four Courts, you will be not a little surprised to find the object of your pity miraculously transferred from the severe recluse of the morning into one of the most bustling, important, and joyous personages, in that busy scene. There you will be sure to see him, his countenance braced up and glistening with health and spirits*—with a huge, plethoric bag, which his robust arms can scarcely sustain, clasped with paternal fondness to his breast—and environed by a living palisade of clients and attorneys, with outstretched necks, and mouths and ears agape, to catch up any chance-opinion that may be coaxed out of him in a colloquial way, or listening to what the client relishes still better (for in no event can they be slided into a bill of costs), the counsellor's bursts of jovial and familiar humor, or, when he touches on a sadder strain, his prophetic assurances that the hour of Ireland's redemption is at hand. You perceive at once that you have lighted upon a great popular advocate; and if you take the trouble to follow his movements for a couple of hours through the several Courts, you will not fail to discover the qualities that have made him so—his legal competency—his business-like habits—his san-

* O'Connell was a man of lofty stature, strong build, general good health, and accustomed to a great deal of exercise. His three months' imprisonment in Richmond Penitentiary, after the State Trials of 1844, may be said to have broken up his strong constitution. The prisoned eagle pined for want of its wonted free range over mountain, plain, and valley.—M.

guine temperament, which renders him not merely the advocate but the partisan of his client — his acuteness — his fluency of thought and language — his unconquerable good-humor — and, above all, his versatility.

By the hour of three, when the judges usually rise, you will have seen him go through a quantity of business, the preparation for and performance of which, would be sufficient to wear down an ordinary constitution, and you naturally suppose that the remaining portion of the day must of necessity be devoted to recreation or repose: but here, again, you will be mistaken; for should you feel disposed, as you return from the Courts, to drop in to any of the public meetings that are almost daily held for some purpose, or to no purpose, in Dublin, to a certainty you will find the counsellor there before you, the presiding spirit of the scene, riding in the whirlwind, and directing the storm of popular debate, with a strength of lungs, and redundancy of animation, as if he had that moment started fresh for the labors of the day. There he remains until, by dint of strength or dexterity, he has carried every point; and thence, if you would see him to the close of the day's "eventful history," you will, in all likelihood, have to follow him to a public dinner, from which, after having acted a conspicuous part in the turbulent festivity of the evening, and thrown off half a dozen speeches in praise of Ireland, he retires at a late hour to repair the wear and tear of the day by a short interval of repose, and is sure to be found before dawn-break next morning at his solitary post, recommencing the routine of his restless existence. Now, any one who has once seen, in the preceding situations, the able-bodied, able-minded, acting, talking, multifarious person I have been just describing, has no occasion to inquire his name: he may be assured that he is, and can be, no other than "Kerry's pride and Munster's glory," the far-famed and indefatigable DANIEL O'CONNELL.

Mr. O'Connell was born about eight-and-forty years ago, in that part of the united kingdoms of Ireland and Kerry, called Kerry.* He is said to be descended in a mathematically and

* This sketch appeared in 1823. Daniel O'Connell, born August 6, 1775, died on the 15th of May, 1847, in his seventy-second year. He was of a long

morally straight line from the ancient kings of Ivera, one of the kingdoms of the county of Kerry. The discrowned family, however, have something better than the saddening boast

lived family, for his uncle Maurice, from whom he inherited Derrynane abbey, was 97, at his death, in 1825; and another uncle, General O'Connell, in the French service, and grand-cross of the order of St. Louis, died in 1834, aged 91. He was then not only a general in the French, but oldest colonel in the English service, and the present military tactics of Europe emanated, in 1787, from a military board in which he was the lowest in rank, but highest in ability. In Easter Term, 1798 (a few months before the "Rebellion"), O'Connell was called to the Irish bar, and his ability and industry soon obtained him business. In 1802, he married his cousin. He opposed the Union, and in 1809, commenced his public agitation for Catholic emancipation. He became a leader of the Catholic Board, and when that body was put down by the Irish government, while others silently submitted, O'Connell assumed the leadership and published the first of his annual letters to the people of Ireland, headed with the motto, from Childe Harold,

"Hereditary bondsmen, know ye not,
Who would be free, themselves must strike the blow."

At aggregate and other public meetings of the Catholics, he was the chief speaker and doer, for years. In 1815, he was forced into a duel with Mr. D'Esterre, one of the city of Dublin corporation, and the assailant fell. A subsequent misunderstanding with Mr. (the late Sir Robert) Peel, then Secretary for Ireland, led to a challenge, but the duel was prevented by the arrest of O'Connell, on his way to Calais, whither Peel had gone, as beyond the jurisdiction of British law. At that time, O'Connell determined never again to become a combatant. From 1815, until 1831, when he left the bar, his professional income averaged from six thousand to eight thousand pounds sterling a year, and on his uncle's death in 1825, he succeeded to landed property estimated at four thousand pounds sterling per annum. He was, beyond all doubt, the best general lawyer in Ireland. In 1821, on the visit of George IV. to Ireland, he played the courtier—more genially than gracefully. In 1823, he founded the Catholic Association, in conjunction with Mr. Sheil—organized the catholic rent, by which the battle of the people was fought at the election hustings—formed one of a deputation to England, to adjust the catholic claims—committed the error of consenting to accept emancipation, clogged with "the wings" (i. e. state payment of the catholic clergy, and confiscation of the forty shillings sterling elective franchise) was baffled by the intolerants—ventured in 1828, on the bold expedient of contesting the Clare election, against a popular member of the Wellington cabinet—was elected, and thereby forced Wellington to concede Emancipation, in 1829—had a seat in parliament until his death—was of great weight as a public man, by reason of his eloquence, tact, and influence, carrying forty Irish members with him in a division—aided the Melbourne ministry against Peel—was offered and declined a seat on the judicial bench, as Master of the Rolls in Ireland—carried on the "Repeal" agitation,

of regal descent to prop their pride. His present ex-Majesty of Ivera, Mr. Daniel O'Connell's uncle, has a territorial revenue of four or five thousand a year to support the dignity of his traditional throne; while the numerous princes of the blood, dispersed through the dominions of their fathers, in the characters of tenants in fee-simple, opulent leaseholders, or sturdy mortgagees in possession, form a compact and powerful squirearchy, before whose influence the proud "descendants of the stranger" are often made to bow their necks, in the angry collisions of county politics. The subject of the present notice is understood to be the heir-apparent to his uncle's possessions. These he must soon enjoy, for his royal kinsman has passed his ninetieth year.* In the meantime he rules in his own person an extensive tract among the Kerry hills — of little value, it is said, in point of revenue, but dear to the possessor as the residence of the idol of his heart, and in truth almost the only tenant on three fourths of the estate —

"The mountain-nymph, sweet Liberty."

Mr. O'Connell was originally intended for the Church, or, more strictly speaking, for the Chapel. He was sent, according to the necessities of the time, to be educated at St. Omer; for in those days the wise government of Ireland would not allow the land of Protestant ascendency to be contaminated by a public school of Catholic theology. Dr. Duigenan was compelled to permit the detested doctrines to be freely preached; but to make the professors of them good subjects, he shrewdly insisted that they should still, as of old, be forced to cross the seas, and lay in a preliminary stock of Irish loyalty at a foreign university. But the dread of indigenous theology was

during all this time — was prosecuted for presumed overt-acts, in 1843, and condemned, with others, after a trial which lasted twenty-five days — was convicted — had the judgment reversed, by the House of Lords, after he and his friends had been three months in prison, and, soon after, saw his own moderate policy opposed by the bolder leaders of the "Young Ireland" party, whereby his own popularity declined — suffered from declining health — went to Italy, and died at Genoa, before he could reach Rome, "the City of the Soul" to so earnest a Catholic as he was. — M.

* Maurice O'Connell did not die until 1825, two years after this sketch appeared. — M.

not peculiar to that great man*. I observe that some English statesmen have discovered that *all* the disasters of Ireland have been caused by an invisible establishment of Jesuits, and must continue until the omnipotence of Parliament shall expel the intruders — a felicitous insight into cause and effect, resembling that of the orthodox crew of a British packet, who, having discovered, during a gale of wind, that a Methodist preacher was among the passengers, at once made up their minds that the fury of the tempest would never abate until the vessel should be exorcised by heaving the nonconformist overboard.

I have not heard what occasioned Mr. O'Connell to change his destination. He probably had the good sense to feel that he had too much flesh and blood for a cloister; and the novelty of a legal career to a Catholic (for the Bar had just been opened to his persuasion) must have had its attractions. He accordingly left St. Omer, with its casuistry, and fasting, and vesper-hymns, to less earthly temperaments; and having swallowed the regular number of legs of mutton at the Middle Temple, was duly admitted to the Irish Bar in Easter term, 1798. The event has justified his choice. With all the impediments of his religion and his politics, his progress was rapid. He is now, and has been for many years, as high in his profession as it is possible for a Catholic to ascend.

Mr. O'Connell, if not the ablest, is certainly the most singular man at the Irish Bar. He is singular, not merely in the vigor of his faculties, but in their extreme variety and apparent inconsistency; and the same may be said of his character. The elements of both are so many and diverse, that it would seem as if half a dozen varieties of the human species, and

* Patrick Duigenan, LL.D, remarkable even amid Irish absolutism and ultra-Protestantism, for his defence of arbitrary power and his rank intolerance. He was the bosom friend and abettor of Lord Clare, the chancellor of Ireland, and was his adviser and agent, in public matters, for many years. Dr. Duigenan was born in 1735, of humble parents and died in 1816. Called to the bar, he became King's advocate in, and subsequently Judge of, the Prerogative Court, in Dublin. He was also vicar-general of the Arch-diocese of Armagh, Member of Parliament, Doctor of Laws, and a Privy Councillor. He was a pamphleteer of more fecundity than force, and one of the most violent anti-Catholic partisans of his day.—M.

these not always on the best terms with each other, had been capriciously huddled together into a single frame to make up his strange and complex identity; and hence it is, that, though he is a favorable subject for a sketch, I find the task of accurate delineation to be far less easy than I anticipated. I have the man before me, and willing enough, it would appear, that his features should be commemorated; but, like the poor artist that had to deal with the frisky philosopher of Ferney,* with all my efforts I can not keep him steady to any single posture or expression. I see him distinctly at one moment a hard-headed working lawyer, the next a glowing politician, the next an awful theologian; his features now sunk into the deepest shade of patriotic anguish, now illuminated, no one can tell why, as for the celebration of a national triumph. A little while back I caught him in his character of a sturdy reformer, proclaiming the constitution, and denouncing the vices of courts and kings, and he promised me that he would keep to *that;* but, before I had time to look about me, there he was, off to the levee! be-bagged and be-sworded like any oppressor of them all, playing off his loyal looks and anti-radical bows, as if he was to be one of Mr. Blake's† next baronets, or as if he had not sufficiently proved his attachment to the throne by presenting his majesty with a crown of Irish laurel

* Francis Marie Arouet de Voltaire, born in 1694, died 1778. He was imprisoned in the Bastille, in 1716, on suspicion of having libelled the Government. Here he planned his poem of the "Henriade," and wrote the tragedy of Œdipus, acted in 1718, with marked success. Henceforth his career was wholly literary, but his political and philosophical opinions constantly set him at issue with "the powers that be," and much of his time was passed in exile. In 1743, his play of "Merope" was so well received at Paris, that he was appointed gentleman of the King's bed-chamber, and historiographer of France In 1750, he went to Berlin, on a visit to Frederic of Prussia, with whom he speedily quarrelled. Finally he retired to the village of Ferney, in Switzerland, where he lived during the rest of his life, with Madame Denis, his niece. His works, in seventy octavo volumes, include nearly all departments of polite literature—chiefly poetry, history, biography, fiction, philosophy, criticism, and the drama. A few days before his death, he was publicly crowned with laurel on the stage of the theatre in Paris.—M.

† Mr. Blake, who filled the lucrative office of Chief Remembrancer of the Court of Exchequer, was a Catholic who contrived to be "hand and glove" with all parties, with his sincerity questioned by none.—M.

on the beach of Dunleary.* Such a compound can be described only by enumerating its several ingredients; and even here I am not sure that my performance, if rigidly criticised, may not turn out, like my subject, to be occasionally at variance with itself. I shall begin with (what in other eminent lawyers is subordinate) his individual and extra-professional peculiarities; for in O'Connell these are paramount, and act a leading part in every scene, whether legal or otherwise, of his complicated avocations.

His frame is tall, expanded, and muscular; precisely such as befits a man of the people—for the physical classes ever look with double confidence and affection upon a leader who represents in his own person the qualities upon which they rely. In his face he has been equally fortunate; it is extremely comely. The features are at once soft and manly; the florid glow of health and a sanguine temperament is diffused over the whole countenance, which is national in the outline, and beaming with national emotion. The expression is open and confiding, and inviting confidence; there is not a trace of malignity or wile—if there were, the bright and sweet blue eyes, the most kindly and honest-looking that can be conceived, would repel the imputation. These popular gifts of nature O'Connell has not neglected to set off by his external carriage and deportment—or, perhaps, I should rather say, that the same hand which has moulded the exterior has supersaturated the inner man with a fund of restless propensity, which it is quite beyond his power, as it is certainly beside his inclination, to control. A large portion of this is necessarily expended upon his legal avocations; but the labors of the most laborious of professions can not tame him into repose: after deducting the daily drains of the study and the courts, there remains an ample residuum of animal spirits and ardor for occupation, which go to form a distinct, and, I might say, a predominant character—the political chieftain. The existence of this overweening vivacity is conspicuous in O'Connell's manners and movements, and being a popular, and more

* After the visit of George IV. in 1821, Dunleary (the port of Dublin) obtained and keeps the name of Kingston.—M.

particularly a national quality, greatly recommends him to the Irish people—"*Mobilitate viget*"—body and soul are in a state of permanent insurrection.

See him in the streets, and you perceive at once that he is a man who has sworn that his country's wrongs shall be avenged. A Dublin jury (if judiciously selected) would find his very gait and gestures to be high treason by construction so explicitly do they enforce the national sentiment, of "Ireland her own, or the world in a blaze." As he marches to court, he shoulders his umbrella as if it were a pike. He flings out one factious foot before the other, as if he had already burst his bonds, and was kicking the Protestant ascendency before him; while ever and anon a democratic, broad-shouldered roll of the upper man, is manifestly an indignant effort to shuffle off "the oppression of seven hundred years." This intensely national sensibility is the prevailing peculiarity in O'Connell's character; for it is not only when abroad, and in the popular gaze, that Irish affairs seem to press on his heart: the same Erin-go-bragh feeling follows him into the most technical details of his forensic occupations. Give him the most dry and abstract position of law to support—the most remote that imagination can conceive from the violation of the Articles of Limerick, or the rape of the Irish parliament, and, ten to one, but he will contrive to interweave a patriotic episode upon those examples of British domination. The people are never absent from his thoughts. He tosses up a bill of exceptions to a judge's charge in the name of Ireland, and pockets a special retainer with the air of a man that dotes upon his country. There is, perhaps, some share of exaggeration in all this; but much less, I do believe, than is generally suspected, and I apprehend that he would scarcely pass for a patriot without it; for, in fact, he has been so successful, and looks so contented, and his elastic, unbroken spirits, are so disposed to bound and frisk for very joy—in a word, he has naturally so bad a face for a grievance, that his political sincerity might appear equivocal, were there not some clouds of patriotic grief or indignation to temper the sunshine that is for ever bursting through them.

As a professional man O'Connell is, perhaps, for general

business, the most competent advocate at the Irish bar. Every requisite for a barrister of all-work is combined in him; some in perfection — all in sufficiency. He is not understood to be a deep scientific lawyer. He is, what is far better for himself and his clients, an admirably practical one. He is a thorough adept in all the complicated and fantastic forms with which Justice, like a Chinese monarch, insists that her votaries shall approach her. A suitor advancing toward her throne, can not go through the evolutions of the indispensable *Ko-tou* under a more skilful master of the ceremonies. In this department of his profession, the knowledge of the practice of the courts, and in a perfect familiarity with the general principles of law that are applicable to questions discussed in open court, O'Connell is on a level with the most experienced of his competitors; and with few exceptions, perhaps with the single one of Mr. Plunket, he surpasses them all in the vehement and pertinacious talent with which he contends to the last for victory, or, where victory is impossible, for an honorable retreat. If his mind had been duly disciplined, he would have been a first-rate reasoner and a most formidable sophist. He has all the requisites from nature — singular clearness, promptitude, and acuteness. When occasion requires, he evinces a metaphysical subtlety of perception which nothing can elude. The most slippery distinction that glides across him, he can grasp and hold "pressis manubus," until he pleases to set it free. But his argumentative powers lose much of their effect from want of arrangement. His thoughts have too much of the impatience of conscious strength to submit to an orderly disposition. Instead of moving to the conflict in compact array, they rush forward like a tumultuary insurgent mass, jostling and overturning one another in the confusion of the charge; and, though finally beating down all opposition by sheer strength and numbers, still reminding us of the far greater things they might have achieved had they been better drilled.

But O'Connell has, by temperament, a disdain of everything that is methodical and sedate. You can see this running through his whole deportment in court. I never knew a learn-

ed personage who resorted so little to the ordinary tricks of his vocation. As he sits waiting till his turn comes to "blaze away," he appears totally exempt from the usual throes and heavings of animo-gestation. There is no hermetically-sealing of the lips, as if nothing less could restrain the fermentation within; there are no trances of abstraction, as if the thoughts had left their home on a distant voyage of discovery; no haughty swellings of the mind into alto-relievos on the learned brow;—there is nothing of this about O'Connell. On the contrary, his countenance and manner impress you with the notion, that he looks forward to the coming effort as a pastime in which he takes delight. Instead of assuming the "Sir Oracle," he is all gayety and good-humor, and seldom fails to disturb the gravity of the proceedings by a series of disorderly jokes, for which he is duly rebuked by his antagonists with a solemnity of indignation that provokes a repetition of the offence; but his insubordinate levity is, for the most part, so redeemed by his *imperturbable* good-temper, that even the judges, when compelled to interfere and pronounce him out of order, are generally shaking their sides as heartily as the most enraptured of his admirers in the galleries. In the midst, however, of this seeming carelessness, his mind is, in reality, attending with the keenest vigilance to the subject-matter of discussion; and the contrast is often quite amusing. While his eyes are wantoning around the court in search of an object to be knocked down by a blow of his boisterous playfulness, or, in a more serious mood, while he is sketching on the margin of his brief the outline of an impossible republic, or running through a rough calculation of the number of Irishmen capable of bearing pikes, according to the latest returns of the population — if the minutest irregularity or misstatement is attempted on the other side, up he is sure to start with all imaginable alertness, and, reassuming the advocate, puts forward his objection, with a degree of vigor and perspicuity which manifests that his attention had not wandered for an instant from the business before him.

Mr. O'Connell is in particular request in jury-cases. There he is in his element. Next to the "harp of his country," an

Irish jury is the instrument on which he delights to play; and no one better understands its qualities and compass. I have already glanced at his versatility. It is here that it is displayed. His powers as a *Nisi-Prius* advocate, consist not so much in the perfection of any of the qualities necessary to the art of persuasion, as in the number of them that he has at command, and the skill with which he selects and adapts them to the exigency of each particular case. He has a thorough knowledge of human nature, as it prevails in the class of men whom he has to mould to his purposes. I know of no one that exhibits a more quick and accurate perception of the essential peculiarities of the Irish character. It is not merely with reference to their passions that he understands them, though here he is pre-eminently adroit. He can cajole a dozen of miserable corporation-hacks into the persuasion that the honor of their country is concentrated in their persons. His mere acting on such occasions is admirable: no matter how base and stupid, and how poisoned by political antipathy to himself, he may believe them to be, he affects the most complimentary ignorance of their real characters. He hides his scorn and contempt under a look of unbounded reliance. He addresses them with all the deference due to upright and high-minded jurors. He talks to them of "the eyes of all Europe," and the present gratitude of Ireland, and the residuary blessings of posterity, with the most perfidious command of countenance. In short, by dint of unmerited commendations, he belabors them into the belief that, after all, they have some reputation to sustain, and sets them chuckling with anticipated exultation, at the honors with which a verdict according to the evidence is to consecrate their names.

But, in addition to the art of heating the passions of his hearers to the malleable point, O'Connell manifests powers of observation of another, and, for general purposes, a more valuable kind. He knows that strange modification of humanity the Irish mind, not only in its moral, but in its metaphysical peculiarities. Throw him upon any particular class of men and you would imagine that he must have lived among them all his life, so intuitively does he accommodate his style of

argument to their particular modes of thinking and reasoning. He knows the exact quantity of strict logic which they will bear or can comprehend. Hence (where it serves his purpose), instead of attempting to drag them along with him, whether they will or no, by a chain of unbroken demonstration, he has the address to make them imagine that their movements are directed solely by themselves. He pays their capacities the compliment of not making things too clear. Familiar with the habitual tendencies of their minds, he contents himself with throwing off rather materials for reasoning than elaborate reasonings—mere fragments, or seeds of thought, which, from his knowledge of the soil in which they drop, he confidently predicts will shoot up and expand into precisely the conclusions that he wants. This method has the disadvantage, as far as personally regards the speaker, of giving the character of more than his usual looseness and irregularity to O'Connell's jury-speeches; but his client, for whom alone he labors, is a gainer by it—directly in the way I have been stating, and indirectly for this reason, that it keeps the jury in the dark as to the points of the case in which he feels he is weak. By abstaining from a show of rigorous demonstration, where all the argument is evidently upon his side, he excites no suspicion by keeping at an equal distance from topics which he could not venture to approach. This, of course, is not to be taken as O'Connell's invariable manner, for he has no invariable manner, but as a specimen of that dexterous accommodation of particular means to a particular end, from which his general powers as a Nisi-Prius advocate may be inferred. And so, too, of the tone in which he labors to extort a verdict; for though when compelled by circumstances, he can be soft and soothing, as I have above described him, yet on other occasions, where it can be done with safety, he does not hesitate to apprise a jury, whose purity he suspects, of his real opinion of their merits, and indeed, not unfrequently, in the roundest terms defies them to balance for an instant between their malignant prejudices and the clear and resistless justice of the case.

There is one, the most difficult, it is said, and certainly the most anxious and responsible part of an advocate's duties, in

which O'Connell is without a rival at the Irish Bar—I allude to his skill in conducting defences in the Crown court. His ability in this branch of his profession illustrates one of those inconsistencies in his character to which I have already adverted. Though habitually so bold and sanguine, he is here a model of forethought and undeviating caution. In his most rapid cross-examinations, he never puts a dangerous question. He presses a witness upon collateral facts, and beats him down by arguments and jokes and vociferation; but wisely presuming his client to be guilty until he has the good luck to escape conviction, he never affords the witness an opportunity of repeating his original narrative, and perhaps by supplying an omitted item, of sealing the doom of the accused.

O'Connell's ordinary style is vigorous and copious, but incorrect. The want of compactness in his periods, however, I attribute chiefly to inattention. He has phrase in abundance at command, is sensible of melody. Every now and then he throws off sentences not only free from all defect, but extremely felicitous specimens of diction. As to his general powers of eloquence, he rarely fails in a case admitting of emotion, to make a deep impression upon a jury; and in a popular assembly he is supreme. Still there is much more of eloquence in his manner and topics than in his conceptions. He unquestionably proves, by occasional bursts, that the elements of oratory, and perhaps of the highest order, are about him; but he has had too many pressing demands of another kind to distract him from the cultivation of this the rarest of all attainments, and accordingly I am not aware that any of his efforts, however able and successful, have deserved, as examples of public speaking, to survive the occasion. His manner, though far from graceful, is earnest and impressive. It has a steady and natural warmth, without any of that snappish animation in which gentlemen of the long robe are prone to indulge. His voice is powerful, and the intonations full and graduated. I understand that when he first appeared at the Bar, his accent at once betrayed his foreign education. To this day there is a remaining dash of Foigardism in his pronunciation of particular words; but, on the whole, he has brought himself, as far as

delivery is concerned, to talk pretty much like a British subject.

It was my original intention to have dwelt in some detail upon O'Connell, as a popular leader, but I have no longer space, and I could scarcely effect my purpose without plunging into that "sea of troubles," the present politics of Ireland: yet a word or two upon the subject before I have done. Indeed, in common fairness, I feel bound to correct any depreciating inferences that may be drawn from the tone of levity in which I may have glanced at some traits of his public deportment, and which I should have hesitated to indulge in, if I had not given him credit for the full measure of good-humor and good sense, that can discriminate at once (should these pages meet his eye) between an inoffensive sally and a hostile sneer.

O'Connell has been now [1823] for three and twenty years a busy actor upon an agitated scene. During that period no public character has been more zealously extolled, or more cordially reviled. Has the praise or blame been excessive, or has either been undeserved? Has he been a patriot, or an incendiary? for, such are the extreme points of view in which the question of his merits has been discussed by persons too impassioned and too interested in the result to pronounce a sound opinion upon it. To one, however, who has never been provoked to admire or hate him to excess, the solution may not be difficult. After reviewing the whole of O'Connell's career as a politician, an impartial observer will be disposed to say of him, that he was a man of a strong understanding and of stronger feelings, occupied incessantly, and almost always without due preparation, upon questions where it would have perplexed the wisest to discern the exact medium between disgraceful submission and factious importunity — that by necessity a partisan, he has been steady to his cause, and consistent in his ultimate object, though many times inconsistent in the adoption of the means to obtain it; and that now in the long run, after all the charges of violence and indiscretion that have been heaped upon him, it is questioned by some of the clearest understanding in England, whether, in the present state of political morals, a more courtly policy than

O'Connell's either is, or was ever calculated to advance the interests of his body.

Leaving his political incentives aside, and referring solely to the personal provocations to which he is daily exposed, I should say, that it would be utterly unnatural in such a man to be other than violent. To O'Connell, as a barrister, his disqualification is a grievous injustice. It is not in theory alone that it operates. It visits him in the practical details of his professional life, and in forms the most likely to gall a man of conscious powers and an ambitious temperament. He has the mortification of being incessantly reminded that, for years past, his fortunes have been absolutely at a dead stop, while he was constantly condemned to see men who started with him and after him, none of them his superiors, many of them far beneath him, partially thrust before him, and lifted into stations of honor and emolument to which he is forbidden to aspire. The stoutest adversary of papal encroachments must admit, that there is something irritating in this; for my part, instead of judging harshly of the spirit in which he retaliates, I rather honor the man for the energy with which he wrestles to the last with the system that would keep him down; and if now and then his resistance assumes such a form as to be in itself an evil, I am not sorry, for the sake of freedom and humanity, to see it proved that intolerant laws can not be enforced without inconvenience. But in general (to speak the truth) O'Connell's vengeance is not of a very deadly description. He is, after all, a man of a kindly and forgiving nature: and where the general interests of his country are not concerned, is disposed to resent his personal wrongs with great command of temper. His forbearance in this respect is really creditable to him, and the more so as it meets with no return.

The admirers of King William have no mercy for a man, who, in his seditious moods, is so provoking as to tell the world that their idol was "a Dutch adventurer." Then his intolerable success in a profession where many a stanch Protestant is condemned to starve, and his fashionable house in Merrion-square, and a greater eye-sore still, his dashing revolutionary

equipage, green carriage, green liveries, and turbulent Popish steeds, prancing over a Protestant pavement to the terror of Protestant passengers—a nuisance that in the good old times would have been put down by Act of Parliament—these and other provocations of equal publicity, have exposed this learned culprit to the deep and irrevocable detestation of a numerous class of his Majesty's hating subjects in Ireland. And the feeling is duly communicated to the public. The loyal press of Dublin teems with the most astounding imputations upon his character and motives. As a dish for the periodical libellers of the day, O'Connell is quite a cut-and-come-again, from the crazy Churchman, foaming over the apprehended fall of tithes, down to the political striplings of the College, who, instead of trying their youthful genius upon the cardinal virtues, or "the lawfulness of killing Cæsar," devote their hours of classic leisure to the more laudable task of demonstrating, for the comfort of the Orange lodges, that "Counsellor O'Connell carries on a treasonable correspondence with Captain Rock." But the Counseller, who happens to know a little more of the law of high treason than his accusers, has the good sense to laugh at them and their threats of the hangman. Now that all practical attempts upon life have been abandoned,* he bears the rest with true Christian patience and contempt; and whenever any of his defamers recant "*in extremis*" and die good Catholics, as the most bigoted among them are said to

* I allude to what was really a shocking occurrence. A Corporation has been defined to be "a thing having neither a body to be kicked nor a soul to be damned." With this definition before him, Mr. O'Connell did not imagine that he exceeded the limits of public debate in calling the Dublin Corporation a "beggarly Corporation." One of its most needy members [Mr. d'Esterre], however, either volunteered or was incited to think otherwise, and called upon the speaker to apologize or fight. To Mr. O'Connell, a life of vital importance to a numerous family, and of great importance to the best part of the Irish public, the alternative was dreadful. He saw the ferocity of the transaction in its full light, but he committed his conduct to the decision of his friends, and a duel ensued. The aggressor was killed. Had the result been different, his claims would probably not have been overlooked by the patron of the time (1815); at least such is understood to have been the expectation under which he provoked his fate.

do, if the fact be duly certified by his friend, Mr. Denis Scully,* who has quite an instinct for collecting materials touching this portion of secret history, O'Connell, I am assured, not only forgives them all their libels, but contributes liberally toward setting on foot a few expiatory masses for their souls.†

O'CONNELL IN 1829.

It was on a calm autumn evening that I had returned from a walk to the splendid seat of Lord Powerscourt, in the county of Wicklow. I had sat down at the inn of the little village where I was sojourning, and had placed myself in the window, to while away an hour in observing the "passing events" of the place. The market was over; the people had gradually passed to their homes; the busy hum of the day was fast dying away; and a few straggling groups scattered here and there through the long, wide street of the town—the only one it boasted—were almost the only persons who arrested my eye The sun was sinking, and threw his lingering beams into the neat but ill-furnished apartment where I was sitting. To avoid the glare of his beams, I changed my position, and this gave me a more uninterrupted view of the long street above referred to, which threw its termination into the green fields of the country.

Casting my eyes in this direction, I beheld a chariot-and-four coming toward me, enveloped in a complete cloud of dust, and the panting horses of which were urged on with tremen-

* The catholic barrister, a gentleman quite clever and important enough to be treated of apart. For the present, I shall merely record of him that one of his favorite theories is, that no rank Orangeman ever "dies game." He can tell you the exact moment when Doctor Duigenan began to roar out for a priest. He has a large stock of mortuary anecdotes illustrating his general doctrine, and he relates them with true Sardonic vivacity.

† To this sketch, originally published in July, 1823, I annex a later portrait, by Mr. Curran, with additions by Mr. Sheil, which appeared in March, 1829, after Mr. O'Connell's being elected M. P. for Clare, and on the eve of catholic emancipation, carried in the following month, by Wellington.—M.

dous rapidity. Struck with the unexpected arrival of such a vehicle in that place, I leaned out of the window to observe its destination, and beheld it still rolling hurriedly along, and sweeping round the angle of the street toward the inn with an increased violence. If my reader has been much used to travelling, he will be aware that the moment a postillion comes in sight of an inn, he is sure to call forth the mettle of his horses —perhaps to show off the blood of his cattle.* This was the case at present, and a quick gallop brought the vehicle in thundering noise to the door, where, Shenstone says, is to be found "the warmest welcome." The animals were sharply checked, the door was flung open, and the occupier threw himself hurriedly out.

"Bring out four horses instantly," was the command he uttered in the loud voice of haste and authority.

The inmate of the carriage was about five feet eleven and a half inches high, and wore a portly, stout, hale, and agreeable appearance. His shoulders were broad, and his legs stoutly built, and, as he at that moment stood, one arm in his side-pocket, the other thrust into a waistcoat, which was almost completely unbuttoned from the heat of the day, he would have made a good figure for the rapid but fine-finishing pencil of Harlowe.† His head was covered with a light fur-cap, which, partly thrown back, displayed that breadth of forehead

* The readers of fiction will be reminded of one of Miss Edgeworth's stories, in which she makes an Irish postillion, whose horses were weak and weary after a long journey, rally them up as he entered a gentleman's demesne, which he called having "a gallop for the avenue."—M.

† George Henry Harlowe, born in London in 1787, was first the pupil and afterward the rival of Sir Thomas Lawrence, the eminent portrait-painter. He painted some clever historical pictures, of which the best known is "The Trial of Queen Catherine," in which there are portraits of Mrs. Siddons, with her brothers, John and Charles Kemble, and other theatrical celebrities. Of this even an engraving is rare and valuable. The original hangs, neglected and uncared for, in a store-loft, in Soho Square, at London, belonging to a piano-forte maker. After visiting Italy, where his accuracy as a copyist, and his remarkable facility in original works, excited much admiration, and obtained him, at Rome and at Florence, the highest honors artists could bestow on him, Harlowe returned to London, and died there, a few months after, in 1819. His skill, in rapidly sketching a likeness and in seizing the character of a face, has rarely been equalled.—M.

which I have never yet seen absent from real talent. His eyes appeared to me, at that instant, to be between a light-blue and a gray color. His face was pale and sallow, as if the turmoil of business, the shade of care, or the study of midnight, had chased away the glow of health and youth. Around his mouth played a cast of sarcasm, which, to a quick eye, at once betrayed satire; and it appeared as if the lips could be easily resolved into the *risus sardonicus*. His head was somewhat larger than that which a modern doctrine denominates the "medium size;" and it was well supported by a stout and well-foundationed pedestal, which was based on a breast, full, round, prominent, and capacious. The eye was shaded by a brow which I thought would be more congenial to sunshine than storm; and the nose was neither Grecian nor Roman, but was large enough to readily admit him into the chosen band of that "immortal rebel" (as Lord Byron called Cromwell) who chose his body-guard with capacious lungs and noses, as affording greater capability of undergoing toil and hardship. Altogether he appeared to possess strong physical powers.

He was dressed in an olive-brown surtout, black trowsers, and black waistcoat. His cravat was carelessly tied, and the knot almost undone, from the heat of the day; and as he stood with his hand across his bosom, and his eyes bent on the ground, he was the very picture of a "public character," hurrying away on some important matter which required all of personal exertion and mental energy. Often as I have seen him since, I have never beheld him in so striking or pictorial an attitude.

"Quick with the horses!" was his hurried ejaculation as he recovered himself from his revery, and flung himself into his carriage. The whip was cracked, and away went the chariot with the same cloud of dust, and the same tremendous pace.

I did not see him pay any money. He did not enter the inn. He called for no refreshment, nor did he utter a word to any person around him. He seemed to be obeyed by instinct; and while I marked the chariot thundering along the street, which had all its then spectators turned on the cloud-enveloped vehicle, my curiosity was intensely excited, and I instantly

descended to learn the name of the extraordinary stranger. Most *mal-apropos*, however, were my inquiries. Unfortunately, the landlord was out; the waiter could not tell me his name; and the hostler "knew nothing whatsomever of him, except that he was in the most uncommonest hurry." A short time, however, satisfied my curiosity.

The next day brought me to the capital of the county where I was then on a visit. It was the assize time. Very fond of oratory, I went to the courthouse to hear the forensic eloquence of the "Home Circuit." I had scarcely seated myself, when the same grayish eye, broad forehead, portly figure, and strong tone of voice, arrested my attention. He was just on the moment of addressing the jury, and I anxiously waited to hear the speech of a man who had already so strongly interested me. After looking at the judge steadily for a moment, he began his speech exactly in the following pronunciation: "My Lurrd — Gentlemen of the jury."

"Who speaks?" instantly demanded I.

"Counsellor O'Connell," was the reply.

"Why, he only arrived last night?"

"Late last night, and has had scarcely a moment to con over his brief. But listen."

I at once fixed my attention. As I do not write short-hand, I can not give the detail of his speech; but his delivery I can criticise, and can here write down.

Were O'Connell addressing a mixed assembly where the lower orders predominated, I scarcely know any one who would have such a power of wielding the passions. He has a knack of speaking to a mob which I have never heard exceeded. His manner has at times the rhodomontade of Hunt;* but he is infinitely superior, of course, to this well-known democrat in choice of language and power of expression. The same remark may apply, were I to draw any comparison between him and another well-known mob-speaker, Cobbett.†

* Henry Hunt, for some years the leader of the "Radical Reform" party in England.—M.

† William Cobbett, who will be remembered as the most inconsistent politician, and the most nervous writer of English prose, his time produced.—M.

Were he opposed to these two persons in any assembly of the people, he would infallibly prove himself the victor. A balcony outside a high window, and a large mob beneath him, is the very spot for O'Connell. There he would be best seen, and his powers and person best observed; but were he in the House of Commons, I do not think I am incorrect when I say that he would make little impression on the House, supposing he were heard with every prepossession in his favor.* His action wants grace and suavity — qualities so eminently fascinating in an elegant and classical speaker, but which perhaps are overlooked in an "orator of the people." The motions of his body are often sharp and angular. His arms swing about ungracefully; and at times the right hand plays slovenly with his watch-chain.

Though I shall not, perhaps, find many to agree with me, yet I am free to confess that he does not appear to me to possess that very rare gift — *genuine* satire. He wants the cultivated grace of language which his compeer, Sheil, possesses, and the brilliancy of metaphor. None is there else, however, peer or commoner, who can compete with him in the Catholic Association. His language is often coarse, and seldom elegant. Strong, fierce, and perhaps bold, it often is; but vituperation and personality make up too much of the *materiel*. His voice is sometimes harsh and dissonant; and I could wish more of that round, full, mellow tone, which is essential to a good delivery, and which so captivates the ear. "The voice is the key which unlocks the heart," says Madam Roland. I believe it. Let the reader listen to the fine round voice of Lord Chief Justice Bushe, and then let him hear the sometimes grating tones of O'Connell, and he will soon perceive the difference. The voice of the latter much reminds me of the harsh thinness of Mr. J. D. Latouche's† (whose *conversational* tone, by-the-by,

* This was a "foregone conclusion" to which facts gave a strong negative. O'Connell became one of the best speakers in the House of Commons, and his speech, in 1831, on the Reform Bill, was the ablest on the subject. As "Member for all Ireland," with forty votes at his command, his power in the House was great.— M.

† Mr. Latouche was an eminent banker in Dublin, who sometimes tried to take a leading part in politics.— M.

is far beyond his *oratorical* one); and yet the coolness and the astuteness which the latter gentleman possesses in an argument, would be no bad substitute for the headlong impetuosity and violent sarcasm in which O'Connell sometimes indulges.

As he can not clothe his language in the same elegance as Sheil, he consequently can not give the same insinuation to his discourses. In this respect, his contemporary has greatly the advantage. Sheil gives us the poetry of eloquence — O'Connell gives us the prose. The attempts of the latter at wit are clumsy, while the former can bring both that and metaphor to his aid, and he often uses them with much effect. O'Connell, however, can attempt humor with effect, and he has a peculiar tact in suiting this humor to the Irish people. I have not often seen a good exordium from O'Connell — an integral portion of a discourse which it is extremely difficult to make; and I think his perorations want grace, point, and force, and that which the Italians would denominate "espressivo."

I shall follow him still farther.

The next place at which I heard the arch-leader of Catholicism, was at the council-chamber in Dublin castle, where he was employed to argue a case before the then Viceroy, Marquis Wellesley.* His speech, voice, action, eye (for nothing in oratory escapes me), are as clearly before me at present as they were on that day; and if this should catch his eye, I would call it to his memory by saying it was one of the best speeches he ever made. Mr. Goulburn,† who sat at the

* Richard Colley Wellesley, eldest son of the earl of Mornington (composer of the well-known glee, "Here in cool grot"), and brother of Arthur, duke of Wellington, was created Marquis Wellesley for his services in India, as Governor-General, and was twice Lord Lieutenant of Ireland. He died in 1842, in the eighty-third year of his age.—M.

† Henry Goulburn, now M. P. for Cambridge University, was born in 1784, and, besides initiatory offices, held the Colonial Seals from 1812 till 1821: was Secretary for Ireland (and very unpopular) from December, 1821 till 1828: Chancellor of the Exchequer from 1828 till 1830: Secretary for the Home Department from December, 1834 to April, 1835 (Peel's brief administration), and again Chancellor of the Exchequer, under Peel, from 1841 to 1846. Though a Conservative, he voted for Reform and Free Trade. An ultra-Anti-

lowermost end of the table, on the right of the Lord-Lieutenant, was busily employed in taking notes. The person who sat next the Chief-Secretary, was Lord (then Mr.) Plunket; but he merely kept his eyes fixed on the broad green cloth which spread amply before him, and, with his arms folded, scarcely moved from that position the entire time. Lord Wellesley was at the top of the table, dressed in his orders; and, as he was of the same opinion in politics with the person who was speaking, he seemed to listen to him with much pleasure. His words, tone of voice, and action, seemed more strictly attended to than when I heard him at Wicklow; and even his step in the ante-rooms, on passing to the chamber, was also guarded. Into that chamber he could not come in the same hurried careless manner, in which I have sometimes seen him fling himself into court. One day, while lounging in the latter place, I saw him rapidly fling aside the green curtain at the doorway; and as he dashed down the benches to the front of the bar methought he would have almost strode over the thick files of lawyers, attorneys, clerks, witnesses, &c., who chanced to be in his way.

In walking through the streets, he pushes along in the same careless, democratic manner; and his stout, tall figure, enables him to shoulder aside the crowds that might oppose his hurried march. He seems not to recollect that the slow pace is the pace of the gentleman; on he goes, business and emancipation borne mightily on his broad shoulders; and stops not, nor stays, till he gets to the Four Courts; from the Four Courts he is then off to the Association rooms — from the Association to the Four Courts back again — from the Courts to attend some popular assembly, or keep an appointment — from the assembly to his house to dine — then a hearty dinner and a temperate glass — business, parchments, briefs, attorneys' clerks, and "unfledged lawyers" afterward — retiring early to bed — and then, next day, behold him going through the same endless, important, and weighty routine of business again.

Catholic for many years, he voted for Catholic Emancipation, in 1829, at the bidding of his master, the Duke of Wellington,— M.

The setting-up for Clare was the most daring, and the boldest step which this man ever took, or ever will take. Were he to live a century, he could do nothing which would show so much of daring and intrepid talent. He has been blamed for it; but the power, and the ambition, and the boldness, which it has evinced, makes me admire where I am otherwise obliged to condemn. It was one of those steps that (to use the words of Voltaire) "vulgar men would term rash, but great men would call bold." Let me distinguish it from his mission to England.* This last was a foolish step, but the first was an intrepid one. Men of talent forsook him in the last, but they supported and abided by him in the first. In short, the whole of Ireland was thrown into astonishment.

The last time I saw O'Connell was in St. James's park. He had a long scroll under his arm — mayhap that which has since caused such controversy, "the wings." The next time I see him will perhaps be in that, to me, most interesting spot in London, or in all England — St. Stephen's.

* The visit of the Catholic Deputation to England in 1825, of which a full account is in these sketches.—M.

WILLIAM CONYNGHAM PLUNKET.

MR. PLUNKET'S father was a Presbyterian clergyman in the north of Ireland.* He died during the infancy of his children leaving them and his widow without any provision: but learning has always been cheap in Ireland, and Mrs. Plunket contrived to procure for her sons a classical education. The subject of the present notice was, at an early age, befriended by the late Lord Avonmore. I have conversed with one or two persons who recollect to have seen him a constant inmate at his Lordship's house, and their report of him is, that "he was a clever, hard-headed boy, very attentive to his studies, and very negligent of his person." He passed in due course through Trinity College, Dublin; and was called to the Irish bar in 1787. His professional advancement was rapid and steady. The first public notice that I can find of his name is upon the trial of the Sheareses, in 1798:† he was associated with Cur-

* He eventually setled in Dublin, where he became stated minister of a congregation. He was fond of polemical discussion, but when it was becoming fierce, as too often is the case, would say, "Well, let us leave it to Bridget," who was a simple-minded lass from Wales. Her reply commonly was, "Well, sir, if you will have my judgment, I do think that love to God and love to man are not fuel for hell-fire." There is philosophy, as well as truth and humanity, in this plain declaration.—M.

† John and Henry Sheares were natives of Cork. They were well educated and well connected. John, the younger, who was a republican, joined the United Irishmen in 1796. Henry, a man of amiable disposition and easily influenced, followed the example. Both had been to France, at the taking of the Bastille; and John was seen, on his return, to flourish, with exultation, a handkerchief stained with the blood of Louis XVI. John Sheares was very active in the preparations for the outbreak in 1798, writing the greater part of the various addresses issued by the Directory. The Sheares's accession to the popular

ran and Ponsonby in the defence of the unfortunate brothers, and, like them, vainly urged every topic that legal ingenuity could devise to avert their doom. I am not aware that Mr. Plunket appeared as counsel for the prisoners in any subsequent state-trial. He became a member of the Irish Parliament in 1797.* On the question of the Union, he took the side of his country: his speeches on that occasion contain many fine specimens of reasoning, invective, and deliberate enthusiasm. A single sentence will convey an idea of their general spirit: "For me, I do not hesitate to declare, that if the madness of

cause, which was soon suspected, was ascertained by a militia-captain, named Armstrong, who wormed himself into their confidence, to betray them to the Government. On the evidence of Armstrong, who had been on visiting terms at their house, and an accessory in their councils, the case against the brothers was proved — though it condemned himself to an immortality of infamy. The trial came off, on July 12, 1798, before Lord Chief-Justice Carleton and four other Judges. Curran, Plunket, and Ponsonby, were the chief counsel for the prisoners. After the trial had lasted *sixteen hours*, Curran, exhausted in mind and body, requested its postponement until the next morning. Attorney-General Toler (afterward Lord Norbury), on the part of the Crown, refused to consent to any adjournment. At midnight, therefore, Curran had to speak; and, wearied as he was, made an eloquent defence. The next morning, at eight o'clock, a verdict of "Guilty" was returned. The brothers rushed into each other's arms. When called up for judgment, at three o'clock the same day, Henry, overcome by emotion, was unable to speak. John, more firm, made only one request, that "the husband, the father, the brother, the son, all comprised in one person," should receive, not a pardon, which it was not in the power of the Court to grant, but a brief respite. The request availed not. Toler moved that the sentence of death should be carried into execution the next day — and so it was, in front of the prison in Green street. By the common law of England, *two* witnesses were necessary to convict in cases of treason; and so Coke and Blackstone have held; but the Irish Court decided that only one was requisite in Ireland, and that one was Armstrong the informer. So, as Curran stated, "that which in Ireland might be legally done, in England it would be murder to do." At present, the law is the same in Ireland as in England. — Eventually, the remains of these unfortunate men were deposited in the vaults beneath the Church of St. Michan's, Dublin, where the soil and the atmosphere resist decomposition, and might there be seen, for over forty years, by any one who paid the sexton. In January, 1842, the bodies were saved from further publicity by being placed in coffins of oak and lead. — M.

* Plunket was brought into Parliament by the Earl of Charlemont (born in 1728, died 1799), whose name will live, in history, as the popular leader of the Irish Volunteers of 1782. — M.

the revolutionist should tell me, 'You must sacrifice British connection,' I would adhere to that connection in preference to the independence of my country; but I have as little hesitation in saying, that, if the wanton ambition of a minister should assault the freedom of Ireland and compel me to the alternative, I would fling the connection to the winds, and I would clasp the independence of my country to my heart." But in those days, as was remarked, "the voice of the patriot in the senate was answered by no echo from without." The nation was panic-struck; gold and promises were profusely scattered; the majority of the "Honorable House" were impatient to be sold, though the wages of their sin was death. The people had nothing to offer but gratitude and fame — the minister had titles, offices, and pensions; and the Irish Parliament was knocked down to the highest bidder.

In 1803, Mr. Plunket appeared as one of the counsel for the prosecution on the trial of Mr. Robert Emmett.* One particu-

* There were three Emmetts, sons of Dr. Emmett, who had been state-physician at Dublin, and was an extreme liberal in his political opinions. Temple, the eldest, who distinguished himself in the University and at the bar, died at the age of thirty. Thomas Addis, born in 1764, also became a barrister, got involved in the revolt of 1798, was allowed to expatriate himself, arrived at New York in 1804, where he was at once admitted to practice (by special dispensation, although opposed, Phillips says, by Chancellor Kent), became Attorney-General of New York in 1812, and died in 1827, greatly respected and lamented. Robert, who was only twenty-three years old, joined in the insurrection of June 23, 1803; was tried, condemned, and executed — lamented even by multitudes who disliked his politics. Robert Emmett's defence, as it is called, though actually spoken *after* condemnation, when called on to receive judgment, is one of the most touching and pathetic specimens of eloquence ever uttered. In that, he alluded to his father's early political instructions, when he exclaimed, "If the spirits of the illustrious dead participate in the concerns of those who were dear to them in this transitory scene, dear shade of my venerated father! look down on your suffering son, and see has he for a moment deviated from those moral and patriotic principles which you so early inculcated into his youthful mind, and for which he has now to offer up his life!" And who can forget the pathetic earnestness of his request that no man would write his epitaph, and the hope that his tomb would remain uninscribed until other men and other times could do justice to his character! "When my country takes her place," said he, "among the nations of the earth, then, and not till then, let my epitaph be written." — M.

lar of his conduct on that occasion exposed him to great, and, as it appears to me, most unmerited reproach. The unfortunate prisoner made no defence—in truth, he had none to make: he produced no evidence, and his counsel announced that they would state no case to the jury. On this ground, they contended that the counsel for the Crown should not be allowed to address the jury a second time. Mr. Plunket insisted upon his right: the Court decided the question in his favor, and he proceeded to comment at length upon the conduct of the prisoner, and upon the wildness and guilt of the conspiracy of which he had been the projector. Emmett's youth and talents, and his deportment on his trial, excited universal sympathy: almost all, even those who would not consent to spare him, pitied him as a victim—many admired and deplored him as a martyr. The latter exclaimed against Mr. Plunket's exercise of his privilege to speak to the evidence, as an act of gratuitous inhumanity. I confess I see the matter in quite another light: Mr. Plunket was a public man, whose opinions had great weight with the community; and I conceive it to have been both natural and laudable that he should have seized the opportunity of reprobating, in the most emphatic terms, the visionary projects of revolution that still prevailed Curran, from a similar impulse of public duty, had done the same thing, a few days before, on the defence of Owen Kirwan, where we find him digressing from the immediate case before the jury, into an elaborate and glowing exposition of the guilt and hopelessness of attempting to better the condition of Ireland by force. But the enemies of Mr. Plunket were not satisfied with a general assertion that his conduct had been unnecessarily harsh. To affix a deep stigma upon his character, it was industriously circulated that he had been a constant guest of Emmett's father, at whose table he had inculcated political principles upon the son which now brought him to the grave; and, to give credit to the calumny, a passage was interpolated in the report of Emmett's address to the Court,* in which

* No allusion to Plunket was made by Robert Emmett—and Phillips, who examined the charge very closely, declares "Emmett never did so with truth, nor could he have done so with truth." So far from being on intimate terms

the dying enthusiast was made to pronounce a bitter invective against "the viper that his father had nurtured in his bosom."

Mr. Plunket was compelled to resort to a public vindication of his character. He instituted legal proceedings against a London journal in which the libel was inserted, and obtained a verdict:* he also published an affidavit, positively denying every material fact in the accusation. He might have gone farther, and have truly sworn that the accusation was never made until after the supposed accuser was in his grave. I have conversed with several who were present at the trial, one or two of them friends and admirers of Emmett: they all solemnly assured me, that not a syllable escaped his lips bearing the remotest allusion to the charge; and the omission in Mr. Plunket's affidavit of this conclusive circumstance, was pointed out to me as a singular absence of sagacity, in a man so notoriously sharp-sighted where the concerns of others are confided to his care. I should not have dwelt thus long upon this transaction, were it not that "Mr. Plunket's conduct to Robert Emmett" is, to this day, frequently adverted to by persons unacquainted with the particulars, as an indelible blemish upon his reputation.†

with the Emmett family, it is stated (in the Memoir of Plunket in the *Dublin University Magazine* for March, 1840) that he did not know them personally, and had only once met any of them, Thomas Addis Emmett, at a public dinner.—M.

* It was against William Cobbett that Plunket brought the action, and obtained smart damages. This may account for Cobbett's constant and bitter attacks on him, in later years. In the Union debate, in 1800, Plunket, who was an Anti-Unionist, made a very striking speech, which contained the following strong sentence, among others: "For my part, I will resist it [the Union] to the last gasp of my existence, and with the last drop of my blood; and when I feel the hour of my dissolution approaching, *I will, like the father of Hannibal, take my children to the altar, and swear them to eternal hostility against the invaders of their country's freedom.*" Thirty years later, when Plunket had accepted a peerage and office from the Saxons whom he had thus denounced, Cobbett had fair game in him, and did not spare the lash. Enumerating the variety of public offices, in Church and State, to which the Plunkets had been appointed, Cobbett constantly spoke of the Hannibals and their father Hamilcar Plunket!— M.

† Charles Phillips, who defends him, yet admits that Plunket "made a very

Mr. Plunket was made solicitor-general in 1803, and attorney-general and a privy counsellor in 1805. He retained his place when the whigs came into office, in 1806. I believe that this was the commencement of his connection with Lord Grenville, to whose party he has since adhered. After the death of Mr. Fox, it was intimated to him that the new administration had no intention of superseding him, but he preferred to follow the fortunes of Lord Grenville, and resigned. Since 1812, he has sat in the Imperial Parliament, as a member for the university of Dublin.

Mr. Plunket has for some years past confined himself to the Court of Chancery, where he holds the same pre-eminence that Romilly† did in England. Of all the eminent lawyers I

unnecessary speech, as Emmett scarcely denied his guilt," but Plunket's own excuse was that he thought himself called upon not so much to address the Jury, as the country through the Jury. In 1819, he repeated that "the times rendered it necessary." Phillips, again referring to the case in 1851, declares that if a speech were necessary it should have been made, not by Plunket but by Mr. M'Cleland, who as solicitor-general was next in rotation. It was also said that Plunket had *volunteered* his exertions: on the contrary, they were specially solicited by the first law officer of the crown. Dr. Sandes, afterward Bishop of Cashel, who from his well-deserved popularity, had the representation of Dublin University in his hands, was canvassed by Plunket, during his contest with John Wilson Croker, and frankly said he would oppose him, unless he could clear up his conduct on Emmett's trial. The explanation was satisfactory, and Sandes supported Plunket, who was elected by a majority of *five*. On the other hand, the eulogistic biographer in the *Dublin University Magazine*, while he acquits Plunket of the main charge of ingratitude, condemns his "eager zeal," and adds that after the two officers of the Crown did not think it necessary to make a single remark, after the prisoner's case had closed, Plunket "assailed the sad enthusiast, in that hour of his deepest suffering, in a theme of invective which might have been well spared." The fact seems to be, Plunket, who had begun to look office-ward, seized the opportunity of showing that his own strong and hostile opinions had softened down into respect for the ruling authorities, and for good order, as sustained by the law.—M.

* Sir Samuel Romilly, alike distinguished at the bar and in Parliament, was born in 1757. He was called to the bar in 1783, and soon obtained extensive Chancery practice. He was Solicitor-General under the Grenville ministry in 1806, and was knighted. In Parliament he was distinguished for his attempts to reform the criminal law. He committed suicide, November 2, 1818. One of his sons, Sir John Romilly, a very able equity lawyer, is now Master of the Rolls in England.—M.

have heard, he seemed to me to be the most admirably qualified for the department of his profession in which he shines. His mind is at once subtile and comprehensive: his language clear, copious, and condensed: his powers of reasoning are altogether wonderful. Give him the most complicated and doubtful case to support — with an array of apparently hostile decisions to oppose him at every step — the previous discussion of the question has probably satisfied you that the arguments of his antagonists are neither to be answered nor evaded — they have fenced round the rights of their clients with all the great names in equity—Hardwicke, Camden, Thurlow, Eldon:* Mr.

* Edward Thurlow, born in 1735, and called to the bar in 1758, was made Solicitor-General in 1770, and Attorney-General in 1771. In Parliament, he supported the ministers in their anti-American measures. In June, 1778, he was elevated to the office of Lord-Chancellor, and was created Lord Thurlow. In 1783, he quitted office, when the Coalition Ministry came in, but was reappointed on Pitt's becoming Premier. In 1793, on a quarrel with Pitt, he again resigned, went into private life, and died in September, 1806. He was a good lawyer, but *brusque* in his manners. — Charles Pratt (afterward Earl of Camden) was the son of Sir John Pratt, Chief-Justice of the King's Bench in the time of George I., and was born in 1714. He slowly but gradually got into business at the bar. In 1757, he was appointed Attorney-General, at the instance of the elder Pitt, and entered Parliament. In 1761, he was made Chief-Justice of the Common Pleas, and soon showed his independence by deciding, in the case of Wilkes, that general warrants were illegal. In 1765, the Rockingham Ministry called him to the Upper House, as Lord Camden. As a peer, his course was independent, and he denied the right of Great Britain, as claimed by the Government, "to impose laws upon the American colonies in all cases whatsoever." In July, 1766, Lord Camden was made Lord-Chancellor. In 1770, opposing his colleagues in the Ministry, who were hurrying the crisis with America, Lord Camden quitted office. Here ceased his judicial career, but he was a political combatant for twenty-four years longer — always condemning the war with America, always defending the liberty of the subject. In 1782, he entered the Rockingham Ministry as President of the Council, which, with a slight interval under the Coalition Ministry, he continued to hold until his death. He was created Earl and Viscount in 1786, and died in April, 1794, aged eighty. He was one of the greatest constitutional lawyers England ever possessed. — John Scott, afterward Earl of Eldon, was born in 1751. His elder brother, afterward Lord Stowell, was born six years earlier. John Scott was educated at Oxford, where he obtained a fellowship in 1767, which he forfeited in 1772 (celibacy being imposed upon the fellows of English colleges), by running off and marrying the daughter of a rich banker at Newcastle, his native place. Soon after, he had to read the law lectures at Oxford, as deputy

Plunket rises. You are deeply attentive, rather from curiosity to witness a display of hopeless dexterity, than from any uncertainty about the event. He commences by some general undisputed principle of law, that seems perhaps, at the first view, not to bear the remotest relation to the matter in controversy; but to this he appends another and another, until by a regular series of connected propositions, he brings it down to the very point before the court; and insists, nay demonstrates, that the court can not decide against him without violating one of its own most venerated maxims. Nothing can be more masterly than the manner in which all this is done. There is

for the Vinerian professor; and, ludicrously enough, the first lecture was on the statute 4 and 5 Philip and Mary, ch. 8: "Of young men running away with maidens." He had one hundred and forty students as auditors, all of whom giggled, as well they might, at the difference between the professor's theory and practice. Called to the bar in 1776, Scott joined the Northern Circuit, for some years with ill-success. In 1780, the reversal of one of the Master of the Rolls' judgments, by Lord-Chancellor Thurlow, upon Scott's argument, drew him into notice. Further success, before a committee of the Commons, on an election case, which lasted fifteen days (with a retainer of fifty guineas, a daily fee of ten guineas, and an evening-consultation fee of five guineas), gave him reputation, as well as money and hope. In 1783, he was made King's Counsel, with Erskine. At this time he entered Parliament, where he and Erskine made their maiden speeches in the same debate, but on opposite sides — Scott opposing and Erskine defending Fox's India Bill. In 1788, he was made Solicitor-General, and knighted — and Attorney-General in 1793, which office he retained to the year 1799, conducting the state trials of Horne Tooke, Hardy, and Thelwall, for high-treason. In July, 1799, he became Chief-Justice of the Common Pleas, and was created Baron Eldon. He was then making between ten and twelve thousand pounds sterling a year by his practice; but if the salary of a Judge was much less, so was the labor. In this new capacity, he proved himself in every respect equal to the duties. In 1801, he became Lord-Chancellor, by the King's own request, and abandoned the Common Pleas with regret. In February, 1806, when the Grenville and Fox Cabinet came in, Lord Eldon quitted office, was succeeded by Lord Erskine, and returned in April, 1807, to continue until 1827, when Canning became Premier, and Sir John Copley, then created Lord Lyndhurst, received the Great Seal. In 1821, Lord Eldon was made Earl and Viscount. As a Judge, he never had a superior, if he had an equal, in Westminster Hall. His fault was delay, caused by his doubting. On political questions he had no delay, but was ready, intolerant, and unscrupulous. He accumulated immense wealth, and died in January, 1838. — M.

no ostentation of ingenuity and research. Everything is clear, simple, and familiar: you assent without a struggle to each separate conclusion. It is only when you are brought to the ultimate result, that you startle at discovering the consummate skill of the logician, who, by wily and imperceptible approaches, has gained a vantage-point from which he can descend upon his adversaries, and compel them to abandon a position that was deemed impregnable.

But Lords Hardwicke, Thurlow, Camden, Eldon, &c., are said to be against him. The advocate accordingly proceeds to examine each of these authorities in detail; he analyses their language; by distinctions that seem natural and obvious, but which in reality are most subtile, he shows how capable it is of various interpretations; he confronts the construction contended for by conflicting decisions of the same judges on other and similar occasions; he points out unsuspected anomalies that would arise from adopting the interpretation of his adversaries, and equally unsuspected accordances with general principles, that would follow his own. He thus goes on until, by reiterated processes of matchless sagacity, he has either neutralized or brought over to support himself, all the authorities upon which his opponents most firmly relied; and he sits down, leaving the court, if not a convert to his opinion, at least grievously perplexed to detect and explain the fallacies upon which it rests.

Mr. Plunket is not said to be a profound lawyer; he cites fewer cases than any other counsel at the Irish bar; and on common occasions, frequently contents himself with merely commenting upon those adduced against him. His supremacy is altogether intellectual. He leaves to others the technical drudgery of wading through tomes and indexes in search of legal saws and "modern instances." The moment a question is submitted to him, his mind intuitively applies all the great principles that are favorable or hostile: these he has firmly fixed, and scientifically arranged in his memory, and so far may be said to be never unprepared. For the rest he depends upon the resources of a talent that never fails him — upon his resistless vigor, where he is right and sincere — upon his formi-

dable ingenuity and sophistry, where he can not venture to be candid — upon his extemporaneous power of going through the most intricate processes of thought with all the ease and familiarity of ordinary discourse; and most of all, upon a rapid apprehension, which grasps and secures the entire of any proposition of which a single particle may chance to flit across his mind — a perfection of faculty that enables him to draw the most unexpected conclusions from the topics adduced against him, and thus to render all the industry of his antagonists subservient to his own occasions.

This, though an imperfect sketch, will convey some general ideas of this eminent advocate; but there is one peculiarity in his powers, which to be adequately comprehended must be actually witnessed. I allude to his capacity (in which he exceeds every public speaker I ever heard) of pouring out, I would almost say indefinitely, a continuous, unintermitted volume of thought and language. In this respect, I look upon Mr. Plunket's going through a long and important argument in the Court of Chancery to be a most extraordinary exhibition of human intellect. For hours he will go on and on, with unwearied rapidity, arguing, defining, illustrating, separating intricate facts, laying down subtile distinctions, prostrating an objection here, pouncing upon a fallacy there, then retracing his steps, and restating in some original point of view his general proposition; then flying off again to the outskirts of the question, and dealing his desultory blows with merciless reiteration wherever an inch of ground remains to be cleared; and during the whole of this, not only does not his vigor flag for a single instant, but his mind does not even pause for a second for a topic, an idea, or an expression. This velocity of creation, arrangement, and delivery, is quite astonishing; and what adds to your wonder is, that it appears to be achieved without an effort. Mass after mass of argument is thrown off, conveyed in phraseology vigorous, appropriate, and succinct, while the speaker, as if the mere minister and organ of some hidden power, that saves him the cost of laborious exertion, appears solely anxious to impress upon others his own reliance upon the force of what seems to come unsought.

This singular command over his great powers, coupled with his imposing exterior and masculine intonations, gives extraordinary weight to all he says. From his unsuspected earnestness of tone and manner, you would often imagine that his zeal for his client was only secondary to a deeper anxiety that the court should not violate the uniformity of its decisions by establishing a precedent fraught with anomaly and danger, while the authoritative ease and perspicuity with which he states and illustrates his opinions gives him the air, as it were, of some high legal functionary appearing on behalf of the public, not so much to debate the question before the court as to testify to the law that should decide it. So that in respect to this quality of apparent conviction and good faith, we may well apply to Mr. Plunket the words of Cicero in commendation of one of the ancient orators of Rome; nor will the illustration be found to fail from any want of coincidence in the personal characters of the two men: "*In Scauri oratione, sapientis hominis et recti, gravitas summa et naturalis quædam inerat auctoritas, non et causam, sed ut testimonium dicere putares.*"*

But although Mr. Plunket is thus skilful in giving plausibility to reasonings that do not satisfy himself, I think it just to add (what I have heard asserted) that even his own fine understanding is often the dupe of his other faculties, and that, in the hurry and fervor of argumentation, his judgment, with all its vigilance, can not escape the snares his ingenuity has weaved for others. I have even fancied at times (when in the course of a cause some unexpected point of law is started) that I have observed his argumentative devices in the very act of imposing themselves upon his mind as irrefutable conclusions. He rises to make, perhaps, a single observation, and is about to resume his place, when a new topic in support of his argument flashes across his mind. As he proceeds to state it, fresh principles and illustrations crowd in to defend him in his posi-

* "The speeches of Scaurus, who was a wise and virtuous man, were distinguished by the utmost dignity, and by a certain natural imposing authority which led his audience to suppose that he appeared less in the character of an advocate than of a witness."

tion: an incidental remark is thus expanded into an elaborate piece of reasoning, during the progress of which he gradually becomes more confident and earnest, until, from the intense ardor with which he follows up each successive advantage, he finally works himself into a conviction that all the merits of the question are on his side.

But it is only when he is the retained advocate of a particular party, whose claims he has to sustain in open court, that Mr. Plunket is subject to this species of mental deception. In the cold and cautious meditation of the closet, when he has to pronounce upon a disputable case submitted for his opinion, the predominance of his argumentative powers operates upon his judgment in quite another way. Instead of rushing to hasty conclusions, he finds a difficulty in coming to any conclusion at all. The very perfection of some of his faculties, his sagacity, his subtilty, and his intuitive perception of the remotest consequences of any given premise, which render him so powerful as an advocate, have in this case only the effect of encumbering him with equal arguments and equal difficulties on either side, and thus of keeping his mind in a state of logical suspense. This fact is well known, and the consequence (I speak from general report) is, that in this department of his profession his practice is utterly disproportioned to his great experience and his unrivalled estimation.

The effect of Mr. Plunket's powers is greatly aided by his external appearance.* His frame is tall, robust, and compact.

* Charles Phillips has thus sketched Plunket in his prime: "Who is that square-built, solitary, ascetic-looking person, pacing to and fro, his hands crossed behind his back, so apparently absorbed in self — the observer of all, yet the companion of none? It is easy to designate the man, but difficult adequately to delineate the character. Perhaps never was a person to be estimated less by appearances; he is precisely the reverse of what he feels; externally cold, yet ardent in his nature; in manner repulsive, yet warm, sincere, and steadfast in his friendships; severe in aspect, yet in reality social and companionable — that is Plunket — a man of the foremost rank, a wit, a jurist, a statesman, an orator, a logician — the Irish Gysippus! as Curran called him! in whom are concentrated all the energies and all the talents of the country. Eminent at the bar, it is in Parliament we see his faculties in their fullest development. Yet, in the Irish House of Commons, his chief displays were on a single question — that of the Union; and in the British Parliament — that of the Roman Catholic question."—M.

His face is one of the most striking I ever saw; and yet the peculiarity lies so much more in the expression than the outline, that I find it not easy to describe it. The features on the whole are blunt and harsh. There is extraordinary breadth and capacity of forehead; and when the brows are raised in the act of thought, it becomes intersected with an infinite series of parallel lines and folds. Neither the eyes nor brows are particularly expressive; nor indeed can I say that any of the other features would singly indicate the character of the man, if I except a peculiar muscular largeness and rigidity about the mouth and lips, from which you may collect, that smiling has "never been their occupation."

The general character of Mr. Plunket's countenance is deep seriousness — an expression that becomes more strongly marked from the unvarying pallor that overspreads his features. It is literally "the pale cast of thought." Some have accused his physiognomy as being unsocial and austere. To me it appeared that the signs of those qualities have been confounded with the natural and now indelible traces of a grave and vigorous intellect, habitually absorbed in masculine investigations, and preferring to dwell in the midst of its own thoughts. Nor do I find anything repelling in the circumstance that his features seldom descend for a moment from their dignity. Knowing what his mind and his history have been, I am prepared for what I meet. I find no flashes of sensibility, no play of shifting or conflicting emotions, but a calm constitutional severity of aspect, importing a mind conscious of its powers, and vigilantly keeping them in unremitted discipline against the daily task that awaits them.*

* Phillips truly says, that Plunket's "style was peculiar, and almost quite divested of the characteristics generally to be found in that of his countrymen. Strong, cogent reasoning — plain but deep sense — earnest feeling and imagery, seldom introduced except to press the reasoning or to illustrate it, were the distinguishing features of his eloquence: he by no means rejected ornament, but he used it severely and sparingly; and though it produced the effect, it was not directly, but rather collaterally and incidentally. He always seemed to speak for a purpose, never for mere display; and his wit, like his splendor, appeared to be struck out by the collision of the moment. In this, indeed, his art was superlative. There were passages which could not have been flung off

I expected to have found a tinge of melancholy in Mr. Plunket's features—such as I had observed in Grattan and some other eminent Irishmen, who had attended the Parliament of their country in its last moments, and who could find nothing in after-life to console them for the loss. I often heard Mr. Grattan speak upon that event. I never found him more eloquent or interesting than when, in a circle of his private friends, he poured out his indignation against a measure that had baffled all his hopes, and his unavailing regret that he had been *too confiding* at a conjuncture when it was possible to have averted the disaster. But I could discern no traces of similar sentiments in Mr. Plunket's looks. He was, however, a much younger man, and could form new views and attachments; nor is it, perhaps, surprising, that at this distance of time he should not revert with sadness to an event, which in its consequences has opened to him so much larger a field for the exhibition of his powers.

Mr. Plunket's manner is not rhetorical—it is (what I consider much better) vigorous, natural, and earnest. He has no variety of gesture, and what he uses seems perfectly unstudied. He is evidently so thoroughly absorbed in his subject, as to be quite unconscious that he has hands and arms to manage. He has a habit, when he warms, as he always and quickly does, of firmly closing both hands, raising them slowly and simultaneously above his head, and then suddenly striking them down with extraordinary force. The action is altogether un-

extempore, and must have been the result of very elaborate preparation."—Many of his isolated passages are beautiful. In a parliamentary speech on the Catholic Claims, in 1821, speaking of the great departed who had joined in discussions, he said, "Walking before the sacred images of the illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, all unworthy prejudices? I will not talk of past disputes; I will not mingle in this act of national justice anything that can awaken personal animosity." It was the speech of which this is an atom which actually converted nine hostile votes on the Catholic Question, in the British House of Commons. The late Sir James Macintosh, who had heard all the great orators—from Pitt, Sheridan, Burke, and Fox, to Brougham, Canning, Sheil, and Macaulay—repeatedly said, that if Plunket had been regularly trained to a British House of Commons, he would have been the greatest speaker there that he ever remembered.—M

graceful; but its strength, and I would even add, its appropriateness to the man and to his stern simplicity of character and style, atone for its inelegance. Besides, this very disdain of the externals of oratory has something imposing in it: you are made to feel that you are in the presence of a powerful mind that looks to itself alone, and you surrender yourself more completely to its guidance from the conviction that no hackneyed artifice has been employed to allure your confidence.

Mr. Plunket's delivery, as already mentioned, is uncommonly rapid, but his articulation is at the same time so distinct that I seldom lose a word. In calm discussion his intonations are deep, sonorous, and dignified: when he becomes animated, his voice assumes a higher pitch, and the tones, though always natural and impressive, are occasionally shrill. His extemporaneous powers of expression are not to be described by the common term, fluency. It is not merely over words and phrases, but over every possible variety of construction, that he appears to hold an absolute command — the consciousness of this power often involves him in grammatical difficulties. He allows a thought to drift along into the midst of obstructions, from which no outlet can be descried, as if for the mere purpose of surprising you by his adroitness when he discovers the danger, steering it in safety through all the straits and intricacies of speech — or by the boldness with which he forces a passage if he can not find one. But it is only over argumentative diction that he has acquired this mastery: when he calls in the aid of sentiment and passion to enforce his logic, his phraseology labors, and, if the passage be unpremeditated, frequently falls short of the strength and dignity of the conception. But his deficiency in this respect evidently proceeds from want of practice, not of capacity; nor does the exertion that it costs him to supply appropriate language ever restrain him from illustrating a legal argument by any bold practical figure that may cross his mind.*

* I shall cite a single example: it will also serve as a specimen of the proneness to imagery that prevails in the Irish courts. The question turned upon the right of presentation to a living. Mr. P.'s clients and their predecessors

Mr. Plunket is a memorable, and I believe, a solitary instance of an eminent barrister whose general reputation has been increased by his parliamentary efforts.* His speeches

had been in undisturbed enjoyment of the right for two centuries; the opposite party called upon them to show their original title. Mr. P. insisted upon the legal presumption, arising from this long possession, that the title had been originally a good one, though the deeds that had created it had been lost, and consequently could not be produced. In commenting upon the necessity and wisdom of such a rule of law, without which few properties of ancient standing could be secure, he observed—"Time is the great destroyer of evidence, but he is also the great protector of titles. If he comes with a scythe in one hand to mow down the muniments of our possessions, he holds an hour-glass in the other, from which he incessantly metes out the portions of duration that are to render those muniments no longer necessary." [Lord Brougham, who introduced this extract into his sketch of Grattan, eulogized it highly. In the equity case, which drew forth the speech in which it sparkled, Plunket was retained by Trinity College, which sought to recover the right of presentation to the living of Clonee. Mr Johnston, called "Bitter Bob," was his opponent, with a bad case and large fee. After Johnston had been voluble for some time, Plunket, assuming a ludicrous expression of surprise, questioned the relevancy of what he said, and asked "Does the learned gentleman mean to rely upon prescription or upon law?" Taken by surprise and conscious that he could not rest upon prescription, Johnston hastily answered "Oh! most certainly upon law." Plunket immediately asked, with mock gravity, "Well, then, where is your law?" Utterly confounded by the directness and suddenness of the question, Johnston faltered out "I don't know," and sat down, half crying. It was a confession at once true and candid.—M.]

* There were many predictions of Plunket's failure in the Imperial Parliament. What Grattan had said of Flood, that an oak of the forest was too old to be transplanted at fifty, was quoted against him—though he was no more than six-and-thirty when the Union took place. Plunket, in the British, was not the fervid orator he had been in the Irish Parliament. He knew that he had a different audience, and accommodated himself to it. He imitated no speaker there—he could not be compared with any. His first speech in 1807, on the Catholic question, was a fine specimen of solid reasoning and rich eloquence, and of logical argument and historical facts. It placed Plunket in the foremost rank of modern orators. From that time until he returned to Parliament six years after, he confined himself to his profession. His own University, justly proud of him, sent him back to Parliament; and in 1813, as well as again in 1814, Plunket spoke on the Catholic question, and only on that subject. One of his incidental sarcasms, in 1814, was polished and keen. Addressing the Speaker (Abbott), who had, *ex-officio*, to return the thanks of the House to Wellington, he said, "But you, sir, while you were binding the wreath round the brow of the conqueror, assured him that his victorious followers must never expect to participate in the fruits of their valor, but that they

on the Union, in the Irish House of Commons, raised him at once to the first class of parliamentary orators. When he was returned by the University of Dublin (in 1812) to the imperial senate, Curran publicly predicted that his talents would create a similar sensation here: I need not add how completely the prophecy has been fulfilled. It would lead me too far to enter into a minute examination of Mr. Plunket's parliamentary style and manner; in many points I should have to repeat some of the foregoing remarks. I can not, however, forbear to observe, that his language and views in the House of Commons discover a mind that has thoroughly escaped the noxious influence of his professional habits. He has shown that it is possible for the same person to be a most subtle and dexterous disputant upon a technical subject, and a statesman-like reasoner upon a comprehensive one.

With regard to his political tenets—his opposition to the Union, his connection with the Whig administration of 1806, and his subsequent exertions in favor of Catholic Emancipation, seem to have placed him on the list of Irish patriots; but his support of popular privileges, where he has supported them, appears to be entirely unconnected with popular sympathies—his patriotism is a conclusion, not a passion. In all questions between the people and the state, it is easy to perceive that he identifies himself with the latter; he never, like Fox and Grattan,* flings himself in imagination, into the popular ranks,

who had shed their blood in achieving the conquest were the only persons who were never to share the profits of success in the rights of citizens." This appears to be the germ of Sheil's striking and brilliant address to Lord Hardinge, with reference to the aid given in the field by Irish Catholics.—M.

* Henry Grattan, the most eminent Irishman of his time, was born in 1746, in Dublin. Educated in Dublin University, he became a law-student of the Middle Temple in 1767, was called to the bar in 1772, and became member for Charlemont in 1775, for which town he sat until 1790, when he was elected by the citizens of Dublin. In 1797, he did not again become a candidate. In 1800, he was returned for Wicklow, to oppose the Union. From 1805 he was a member of the Imperial Parliament, and was the earnest and able champion of the Catholics, to his dying day. He found his country a province—he made it a nation; he found it the prey of a rapacious oligarchy—he raised it to independence; to use his own striking words, "he sat by its cradle, he followed its hearse." Grattan was the life and soul of the struggle for Irish independence,

to march at their head, and in their name, and as one of them, to demand a recognition of their rights. Mr. Plunket has not

1782. His eloquence was great, in a country where every man can freely and suitably express himself in public. His courage was indomitable, and, in truth, his sarcasm needed such support. The people, grateful, gladly confirmed the grant of fifty thousand pounds sterling made to him by the Parliament: he had refused the proposed sum of one hundred thousand pounds. With this he bought Tinnahinch, in the county of Wicklow, where he lived, as Moore said—

"'Mid the trees which a nation had given, and which bowed
As if each brought a new civic crown for his head."

His last efforts in the Irish Parliament were against the Union. In the British House of Commons, in 1804, Fox placed him on the seat next his own; and his first speech, in favor of Fox's motion on the Catholic question, and in reply to Dr. Duigenan, who had imported his intolerance to London, was answered by Spencer Percival, the Minister, who greatly complimented its brilliancy. In England, Grattan was more subdued than in his own land in former years, and Curran smartly said that "indeed he had brought his club into the English House of Commons, but took care, beforehand, to pare off its knobs." He advocated the Catholic claims, by appointment, until 1815, when Sir Henry Parnell was intrusted with the conduct of the measure. His popularity had so much faded, that he was assailed, at the general election in 1818, by a mob in Dublin, and narrowly escaped with life. In 1819, his motion for a committee on the Catholic claims was lost by a majority of only *two*. In June, 1820, he hurried over, weak in health, and worn by seventy-four years, to present the Catholic petition once more—but died before he could do it. His remains found interment in Westminster Abbey, next to those of Mr. Fox. His person was short and clumsy, with disproportionably long arms; his voice shrill and badly managed; his manner artificial, his action vehement and unnatural—but his diction, or wardrobe of words, was rich in the extreme; his language full of epigram and antithesis; his sentences harmonious and forcible; his powers of attack and defence never equalled. The brilliant character of Grattan's oratory was thus indicated by Moore, in one of his Irish Melodies:—

"Who, that ever hath heard him—hath drunk at the source
Of that wonderful eloquence, all Erin's own,
In whose high-thoughted daring, the fire and the force,
And the yet untamed spring of her spirit, are shown?

"An eloquence rich, wheresoever its wave
Wandered free and triumphant, with thoughts that shone through,
As clear as the brook's 'stone of lustre,' and gave,
With the flash of the gem, its solidity too."

Grattan was a politician, but not a statesman. Yet, from 1775 until 1800, the history of Grattan is the history of Ireland. His son has published an excellent Memoir of him, and had previously edited his speeches. Undoubtedly Grattan was a remarkable man—one of the master-spirits of his age.—M.

temperament for this. He studiously keeps aloof from the multitude, and even when their strenuous advocate, lets it be seen that he thinks *for* them, not *with* them—he never warms into "the man of the people." His most animated appeals in their behalf retain the tone of a just and enlightened aristocrat, gravely and earnestly remonstrating with the members of his own body, upon the danger and inexpediency of holding out against the immutable and unconquerable instincts of human nature.

The only exception that I recollect to these remarks, occurs in his speeches against the Union. There he boldly plunged into first principles; as, among other instances, when he exclaimed, "I, in the most express terms, deny the competency of Parliament to do this act—I warn you, do not dare to lay your hand on the Constitution. I tell you that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it. I make the assertion deliberately—I repeat it—and I call on any man who hears me to take down my words: you have not been elected for this purpose—you are appointed to make laws, and not legislatures. You are appointed to act under the constitution, not to alter it; to exercise the functions of legislators, and not to transfer them: and if you do so, your act is a dissolution of the government; you resolve society into its original elements, and no man in the land is bound to obey you." Yet even here, and in some bolder declarations on the same occasion, I am inclined to suspect that Mr. Plunket assumed this indignant tone, rather as a member of the assembly whose independence was assailed, than from any impassioned sympathy with the general rights of the body that he represented. Had the question been a popular reform, instead of the extinction of the Irish parliament, he would, in all likelihood, have been equally vehement in resisting the innovation.

Mr. Plunket's general reading is said to be limited; and if we may judge from the rareness of his allusions to the great writers of ancient and modern times, the opinion is not unfounded. When he was about to appear in the British parlia-

ment in 1812, it was whispered among his friends, that he prepared himself with information on the general state of European politics from the most ordinary sources: he wanted facts, and he took the shortest and easiest method of collecting them. I have understood that, up to a recent period, he frequently employed his leisure hours upon some elementary treatise of pure mathematics. If the fact be so, it affords a striking proof of the vigor of a mind which could find a relaxation in such a pursuit.*

I have already glanced at a resemblance between Mr. Plunket and the late Sir Samuel Romilly. If I were to pursue the comparison into the private characters of the two men, the points of similarity would multiply, and in no particular more strikingly than in the softness and intensity of their domestic affections. But this is sacred ground: yet I can not forbear to mention that it fell to my lot (when last in Ireland), sitting as a public auditor in the gallery of the Court of Chancery, to witness a burst of sensibility, which, coming from such a man as Mr. Plunket, and in such a place, sent an electric thrill of sympathy and respect through the breasts of the audience. An aged lady, on the day after her husband's death, had signed a paper, resigning her right to a portion of property

* Although Plunket, as his aspect showed, was of a saturnine temperament, he was not above enjoying and even making a joke. Once, at a dinner with Dr Magee, Archbishop of Dublin, one of the company was a pedantic collegian, who asked his host whether he had heard of the difference between Brinkley (afterward Bishop of Cloyne) and Pond, respectively Astronomers Royal of Ireland and England. "Brinkley," said the bore, "contends that the parallax of *a* Lyræ is three seconds; Pond says it is only two,—and the dispute is violent." Plunket, who was one of the party, quietly remarked "Ah, sir, it must be a very bad quarrel, *when the seconds can not agree.*"—When the Grenville Ministry was formed, in 1806, Charles Kendal Bushe, suspected of being a waverer, absented himself from Court, on the ground that he was *cabinet-making*. The excuse transpired, and Plunket said "Bushe will beat me at that—I am neither a *joiner* nor a *turner*."—After quitting the Common Pleas, in 1827, to take the Great Seal, he was told that his successors had little or nothing to do. "Well," said he, "*they're equal to it.*" He could even joke at his own expense. On his enforced retirement, in 1841, to make way for Lord Campbell, a great storm arose on the day of his successor's expected arrival, a friend said, how sick of his promotion the voyage must have made him. "Yes," said Plunket, with a sardonic smile, "but *it won't make him throw up the Seals.*—M.

to which she became entitled by his decease; and the question was, whether her mind at the time was perfectly calm and collected. Mr. Plunket insisted that it was not in human nature that she could be so at such a crisis.—"She had received a blow such as stuns the strongest minds: after a union of half a century, of uninterrupted affection, to find the husband, the friend, the daily companion, suddenly called away for ever!" He was proceeding to describe the first anguish and perturbation of spirit that must befall the survivor of such a relation, when he suddenly recognised in the picture all that he had himself a little while before endured. The recollection quite subdued him—he faltered, and became inarticulate even to sobbing. I can not describe the effect produced throughout the court.

I have thus attempted to present a sketch of this eminent Irishman*—in matters of intellect unquestionably the most

* Lord Plunket, who was born in 1764, is now (1854) in his ninetieth year. Brought into the Irish Parliament by the Earl of Charlemont he bitterly denounced the contemplated Union, and was violently personal on the Irish Secretary, Lord Castlereagh, who managed the ministerial details. His Lordship, a handsome man (who, Sir Walter Scott thought, was the most distinguished-looking personage at the Coronation in 1821, as he walked, unaccompanied, in the full dress of a Knight of the Garter), had been married for some years to the young and lovely daughter of the Earl of Buckinghamshire, and it was their misfortune to be childless. During a debate, when Lady Castlereagh was present, Plunket concluded a personal attack on her husband by saying, "I can not believe that that constitution, the foundations of which were laid by the wisdom of ages, and cemented by the blood of patriotic heroes, is to be smitten to its centre by *such a green and sapless twig* as this!" The venom of the stroke, imputing political and insinuating personal imbecility, was deeply felt. After the Union, Plunket fought side by side with Curran, on the popular side; but, in 1803, he appeared against Robert Emmett, as already mentioned. After the Union, also, he had unsuccessfully been a parliamentary candidate for the University of Dublin. In 1806, the death of Pitt admitted the Whigs to office. Self-boasting as they had been, the soubriquet of "All the Talents" was given to their official capacity. In 1807, they quitted place, and Plunket, who would have been retained by their successors if he pleased, went out with them; nor did he again assume office until 1822, when (at the instance of the same Lord Castlereagh whom he had formerly attacked, but who desired parliamentary assistance against the hollow friendship of Canning and the open hostility of Brougham) he succeeded Mr. Saurin as Attorney-General. He had previously defended, in Parliament, what was called the "Massacre of Peterloo," in

eminent that now exists. If I intended it to be anything but a hasty sketch, I should feel that I have been unjust to him. Some of his powers — his wit and irony, for example, in both of which he excels, and his cutting and relentless sarcasm, where vice and folly are to be exposed — have been altogether unnoticed; but his is the "*versatile ingenium*," and, in offering the result of my observations upon it, I have been compelled to select rather what I could best describe, than what I most

the Manchester riots of 1819. As first Irish law-officer of the Crown, Plunket did not appear to advantage. When a bottle was flung at the Viceroy, in the theatre, Plunket hastily indicted the rioters for high-treason, and as hastily withdrew the indictment before trial. His bills of indictment were ignored, his *ex-officio* prosecutions defeated, and his Orange antagonists cheaply obtained the honor of political martyrdom. In 1827, when a new Premier was necessary, on the illness of Lord Liverpool, Canning was appointed, and thought so highly of Plunket as to offer him a peerage, a seat in the Cabinet, and the high office of Master of the Rolls in England. Plunket was actually appointed, but the English bar, declaring that Westminster Hall must supply the new Judge, intimated that they would not plead before Plunket. The end was that he became Chief-Justice of the Common Pleas in Ireland, instead of Master of the Rolls in England — and became a peer as "Baron Plunket, of Newton, County of Cork." By his speeches and his vote, he assisted in the Emancipation Bill of 1829; and when the Whigs took office, in 1830, Earl Grey made him Lord-Chancellor of Ireland, a position which he retained until December, 1834, when Sir Robert Peel, on the change of Ministry, appointed Sir Edward Sugden (now Lord St. Leonards, and late Lord-Chancellor of England), an English barrister of great ability. In April, 1835, Plunket resumed the Irish Chancellorship, and retained it until June, 1841. The Melbourne Ministry, then within three months of its dissolution, wished to provide for Sir John Campbell, who had been in office nine years. His wife had already been appointed a peeress in her own right (Baroness Stratheden), but he desired for himself the retiring pension of four thousand pounds sterling always given to an ex-Chancellor. Accordingly, Lord Plunket, whose judicial career had been highly satisfactory, received a hint that he must retire! Plunket, recollecting how the English bar had refused him, was reluctant to see an English lawyer, who knew nothing of equity, named as his successor. He refused to retire, was informed that he would be dismissed if he did not, and finally resigned, stating the whole case in open Court, in his farewell address to the bar. He said he had no share in what had taken place, directly or indirectly, and entirely repudiated the change. Campbell, created a peer, heard a few motions as Chancellor, and went out, shortly after, on the large pension he had coveted. He is now Chief-Justice of England. — Lord Plunket retired into private life in 1841, and enjoys the four thousand pounds pension, and a large private fortune, earned by his professional labors. — M.

admired; and even if I had succeeded in a delineation of all the powers that raise Mr. Plunket above ordinary men, I should have had to add, that our admiration of him is not limited by what we actually witness.

We speculate upon his great attributes of intellect, and ask, "What might they not have achieved, had his destiny placed him in the situation most favorable to their perfect development? If, instead of wasting them upon questions of transitory interest, he had dedicated them solely to the purposes of general science — to metaphysics, mathematics, legislation, morals, or (what is but spoken science) to that best and rarest kind of eloquence, which awakes the passions only that they may listen to the voice of truth — to what a height and permanence of fame might they not have raised him?"

These reflections perpetually force themselves upon Mr. Plunket's admirers: we lament to see the vigor of such a mind squandered upon a profession and a province. We are incessantly reminded that, high and successful as his career has been, his opportunities have been far beneath his resources, and thus, judging him rather by what he could do than what he has done, we are disposed to speak of him in terms of encomium, which [illegible] words of his genius will remain to justify.

CHARLES KENDAL BUSHE.

The name of Charles Kendal Bushe is not so extensively known as that of Plunket beyond the immediate field in which his talents (which are of the first order) have been displayed. But in Ireland it is almost uniformly associated with that of Plunket, by those who descant upon the comparative merits of their most distinguished advocates. The latter is better fitted to the transactions of ordinary business, and, in a profession which is generally conversant with the details of common life, exhibits a dexterity and astuteness which render him the most practical, and, therefore, the ablest man at the Bar. He is always upon a level with his subject, and puts forth his faculties, as if they were as subservient as his limbs to the dominion of his will, in the most precise and minute adaptation to the purposes for which they may happen to be required. The self-control which his mind possesses in so high and rare a degree (and it is more difficult, perhaps, to men of true genius to descend from their native elevation than to persons of inferior endowments to raise their faculties to the height of a "great argument") has given him an almost undisputed mastery in the discussion of those topics which constitute the habitual business of the Bar. His hearers are not conscious that he is in reality exercising his great powers while he addresses them in the plainest speech and apparently in the most homely way.

An acute observer would discover that his reasonings upon the most vulgar topic were the perfection of art, and that under the guise of simplicity he concealed the most insidious

sophistry, and subtleties the most acute. This seeming ingenuousness is the consummation of forensic ability; and however it is to be estimated in a moral point of view, there can be no doubt that at the Bar it is of incalculable use. Mr. Plunket is the chief sophist, and for that reason the most useful disputant in his profession; and it must be confessed that the deliberations of a court of justice do not call so much for the display of eloquence as for the ingenious exercise of the powers of disputation. I am far from thinking Mr. Bushe deficient in refinement and dexterity; on the contrary, he would be conspicuous for those qualities unless when he is placed in comparison with the great arch-hypocrite of the Bar. But who could be his rival in that innocent simulation which constitutes the highest merit of a modern lawyer? The ingenuity of Bushe is too apparent. His angling is light and delicate; but the fly is too highly colored, and the hook glitters in the sun. In the higher departments of oratory he is, perhaps, equal and occasionally superior to Mr. Plunket, from the power and energy of his incomparable manner; but in the discharge of common business in a common way, he holds a second, though not exceedingly distant place.

Mr. Bushe is the son of a clergyman of the established church, who resided at Kilmurry, in the county of Kilkenny, in the midst of the most elegant and most accomplished society in Ireland. He was in the enjoyment of a lucrative living, and being of an ancient family, which had established itself in Ireland in the reign of Charles the Second, he thought it incumbent upon him to live upon a scale of expenditure more consistent with Irish notions of dignity than with English maxims of economy and good sense. He was a man of refined manners, and of polished if not of prudential habits. His son Charles imbibed from him an ardent love of literature, and had an opportunity from his familiar intercourse with the best company in the kingdom, to acquire those graces of manner which render him a model of elegance in private life, and which, in the discharge of professional business, impart such a dignified suavity to his demeanor as to charm the senses before the understanding is addressed. His mother was the sister of Major

General Sir John Doyle,* and is said to have been a highly-cultivated woman.

Mr. Bushe received his education in the University of Dublin, and, I may add, in the Historical Society which was established by the students for the cultivation of eloquence and of the arts which are connected with it. Although it derived its appellation from the study of history, to which it was nominally dedicated, the political situation of the country speedily directed its pursuits to the acquisition of the faculty of public speech; through which every man of talent expected to rise into eminence, at a period when oratory was the great staple commodity in the intellectual market. This institution rose of its own accord out of the spontaneous ambition of the students of the University. So far from assisting its growth, the fellows of the college employed every expedient to repress it. In the true spirit of monks (and however they may differ in the forms of their faith, in their habits, and in the practical results in which their principles are illustrated and embodied, the monks of all religions are inveterately the same), the superiors of the University took the society under their baneful protection. They attempted to hug it to death in their rugged and hirsute embrace. The students, however, soon became

* The late General Sir John Doyle was private Secretary to the Prince of Wales for many years, when that profligate was taking a leading part in the "Road to Ruin." Doyle, who was then only a Major in the army, was an Irishman and had distinguished himself by some clever opposition speeches in the Irish House of Commons.—The Prince met him accidentally at a large party, was struck with his intelligence and vivacity, invited him to the Pavilion, at Brighton, and speedily offered him the most confidential post in his household. To his latest day, Doyle used to say that George, Prince of Wales, merited the title of "the first gentleman in Europe," and it should be noted that he who gave this opinion had spent all his life in the best society, at home and abroad. Doyle was a wit. The Prince had gone to the opening of Parliament, wearing diamond epaulettes on his military uniform. At dinner, Doyle said he had been among the crowd, who much admired the Prince's equipage, and that one of them, looking at the diamond epaulettes, said, "Tom, what amazing fine things the Prince has got upon his shoulders?" and the other had answered, "Ay, fine enough, and they will soon be *on our shoulders.*" There was a smile all around the royal table, for freedom of speech was fully allowed there, and the Prince laughingly retorted, "You rogue, that shaft could come from no bow but your own."—M.

aware of the real objects of their interference, and were compelled, in order to preserve the institution from the consequences of so impure a connection, to recede from the University, and hold their meetings beyond its walls.

Mr. Bushe had been recently called to the Bar, but had not yet devoted himself to its severer studies with the strenuous assiduity which is necessary for success in so laborious a profession. But the fame which he had acquired in the society itself, induced its rebellious members to apply to him to pronounce a speech at the close of the first session which was held beyond the precincts of the college, for the purpose of giving the dignity and importance to their proceedings which they expected to derive from the sanction of his distinguished name. Mr. Bushe acceded to the request, and pronounced a very eloquent oration, which Mr. Phillips has, I observe, inserted in his collections of "Specimens of Irish Oratory."* It is re-

* This work, which, published in Dublin in 1819, was republished in Philadelphia in 1820, is called "Specimens of Irish Oratory," and contains, with very brief memoirs, examples of the oratory of Burke, Curran, Grattan, Sheridan, Burrowes, Bushe, Plunket, and Flood. Charles Phillips, born at Sligo, in 1788, graduated at Dublin University, and was called to the Irish bar in 1812, where his florid oratory obtained him considerable practice in adultery, seduction, and breach-of-promise-of-marriage cases. He collected his speeches in one volume in 1817, and they obtained a large sale. He also edited "Specimens of Irish Eloquence," wrote a poem called "The Emerald Isle," and wrote "Recollections of Curran," which speedily ran through two large editions, and was reproduced in 1850, entirely recast, enlarged, and improved, as "Curran and his Contemporaries," which has gone into several editions, and was republished in New York, in 1851. Phillips went to the English bar, in 1819, where his peculiar style of eloquence did not please. He obtained extensive criminal practice, and adhered steadily to the liberal principles of his youth. In 1842, on the establishment of District Courts of Bankruptcy in England, the influence of his stanch friend Lord Brougham obtained him a commissionership at Liverpool, with a salary of eighteen hundred pounds sterling a year. He subsequently resigned this, and became one of the London Commissioners of the Insolvents' Court. It is matter for reproach, as well as regret, that, during the last ten or twelve years of comparative leisure, Phillips has done so little as a literary man — a calling in which he has so well acquitted himself. Curran, who much loved him, was fully sensible of the faults of Phillips's early oratory, and said: "There is much more of flower than figure or art; more of fancy than design. It is like (as I suspect the mind of the author to be) a tree in full blossom: shake it and you have them on the ground in a minute, and it would take a season to reproduce them." — M.

markable for purity and simplicity of style, and for an argumentative tone, which, in so young a man, who had hitherto exercised himself upon topics which invited a puerile declamation, and the discussion of which was a mere mockery of debate, afforded grounds for anticipating that peculiar excellence which he afterward attained. A few metaphors are interspersed, but they are not of the ordinary class of Irish illustration; and what was unavoidable in an assembly composed of insurgent students, an hyperbole is occasionally to be found in the course of this very judicious speech. But, taken as a whole, it bears the character of the mature production of a vigorous mind, rather than of the prolusion of a juvenile rhetorician.*

This circumstance is a little remarkable. The passion for figurative decoration was at this time at its height in Ireland. The walls of the parliament house resounded with dithyrambics, in which, at the same time, truth and nature were too frequently sacrificed to effect. The intellect of the country was in its infancy, and although it exhibited signs of athletic vigor, it was pleased with the gorgeous baubles which were held out for its entertainment. It is, therefore, somewhat singular, that while a taste of this kind enjoyed so wide and almost universal a prevalence, Mr. Bushe should, at so early a period of his professional life, have manifested a sense of its imperfections, and have traced out for himself a course so different from that which had been pursued by men whose genius had invested their vices with so much alluring splendor. This circumstance is partly, perhaps, to be attributed to the strong instinct of propriety which was born with his mind, and, in some degree, to his having passed a considerable time out of Ireland, where he became conversant with models of a purer, if not of a nobler eloquence, than that which was cultivated in the sister kingdom. He lived in France for some

* The beautiful speech which Bushe delivered from the chair of the Historical Society, in closing its twenty-fourth session, in June, 1794, was published by Phillips in his "Specimens." Bushe's own copy of this book was annotated by himself in 1827, and he has marked this speech as "mostly puerile." Some passages he noted as "bad," some "not good," and only one as "good."—In fact, he was very fastidious as to his own productions.—M.

years, among men of letters; and although the revolution had subverted, in a great degree, the principles of literature as well as of government, yet enough of relish for classical beauty and simplicity had survived, among men who had received the advantages of education, to furnish him with the opportunity, of which he so advantageously availed himself, of cultivating a better style of expression than he would, in all probability, have adopted had he permanently resided in Ireland.

It may appear strange that I should partly attribute the eminence in oratory to which Mr. Bushe has attained, to the Historical Society, after having stated that he deviated so widely from the tone of elocution which prevailed in that establishment, and in which, if there was little of childishness, there was much of boyhood. But, with all its imperfections, it must be recollected that such an institution afforded an occasion for the practice of the art of public speaking, which is as much, perhaps, the result of practical acquisition, as it is of natural endowment. A false ambition of ornament might prevail in its assemblies, and admiration might be won by verbose extravagance and boisterous inanity; but a man of genius must still have turned such an institution to account. He must have thrown out a vast quantity of ore, which time and circumstance would afterward separate and refine. His faculties must have been put into action, and he must have learned the art, as well as tasted the delight, of stirring the hearts and exalting the minds of a large concourse of men. The *physique* of oratory too, if I may use the expression, must have been acquired. A just sense of the value of gesture and intonation results from the practice of public speaking; and the appreciation of their importance is necessary to their attainment. It is for these reasons that I am inclined to refer a portion of the prosperity which has accompanied Mr. Bushe through his profession, to an institution, the suppression of which has been a source of great regret to every person who had the interests of literature at heart.

The reputation which Mr. Bushe had acquired among his fellow-students, attended him to his profession; and in a very

short period, he rose into the public notice as an advocate of distinguished abilities. It was, indeed, impossible that he should remain in obscurity. His genius was not of such a character as to stand in need of a great subject for its display. The most trivial business furnished him with an occasion to produce a striking effect. There are some men who require a lofty theme for the manifestation of their powers. Their minds demand the stimulus of high passion, and are slow and sluggish unless awakened by the excitement which great interests afford.

This is peculiarly the case with Mr. Burrowes,* who, upon a noble topic, is one of the ablest advocates at the Irish bar, but who seems oppressed by the very levity of a petty subject, and sinks under its inanity.

He is in every respect the opposite of Mr. Bushe, who could not open his lips, or raise his hand, without immediately exciting and almost captivating the attention of every man around him. There is a peculiar mellowness and deep sweetness in his voice, the lower tones of which might, almost without hazard of exaggeration, be compared to the most delicate notes of an organ, when touched with a fine but solemn hand. It is a voice full of manly melody. There is no touch of effeminacy about it. It possesses abundance as well as harmony, and is not more remarkable for its sweetness than in its sonorous depth. His attitude and gesture are the perfection of "easy art"—every movement of his body appears to be swayed and informed by a dignified and natural grace. His countenance is of the finest order of fine faces, and contains an expression of magnanimous frankness, that, in the enforcement of any cause which he undertakes to advocate, invests him with such a semblance of sincerity, as to lend to his assertion of fact,

* Burrowes was one of the most absent of men. He it was who was found at breakfast-time, standing by the fire with an egg in his hand and his watch in the saucepan. But, as a barrister, he had great influence with a jury—sometimes reaching the purest eloquence. "Devoid of every grace and every art," says Phillips, "ungainly in figure, awkward in action, discordant in voice, no man more riveted the attention of an audience and more repaid it. His mind was of the very highest order; his manner forced the conviction of his sincerity and his arguments were clothed in language chaste and vigorous."—M.

or to his vindication of good principle, an irresistible force.* It was not wonderful that he should have advanced with extreme rapidity in his profession, seconded as he was by such high advantages. It was speedily perceived that he possessed an almost commanding influence with the jury; and he was in consequence employed in every case of magnitude, which called for the exertion of such eminent faculties as he manifested upon every occasion in which his powers were put into requisition.

Talents of so distinguished a kind could not fail to raise him into political consequence, as well as to insure his professional success. The chief object of every young man of abilities at the bar was to obtain a seat in Parliament. It secured him the applause of his country if he devoted himself to her interest; or, if he enlisted himself under the gilded banners of the minister, place, pension, and authority, were the certain remunerations of the profligate services which his talents enabled him to bestow upon a government, which had reduced corruption into system, and was well aware that it was only by the debasement of her legislature that Ireland could be kept under its control. The mind of Mr. Bushe was of too noble a cast to lend itself to purposes so uncongenial to a free and lofty spirit; and he preferred the freedom of his country, and the retributive consciousness of the approbation of his own heart, to the ignominious distinctions with which the administration would have been glad to reward the dereliction of what he owed to Ireland and to himself. Accordingly we find, that Mr. Bushe threw all the energy of his youth into opposition to a measure which he considered fatal to that greatness which Nature appeared to have intended that his country should attain; and to the last he stood among the band of patriots who offered a generous but unavailing resistance to a legislative Union with Great Britain.

* Bushe was by no means a handsome man. Phillips speaking of his "Mirabeau-formed figure — Mirabeau, indeed, in shape and genius, without the alloy of his vices or his crimes. What sweetness there is in his smile! what thought in his brow! what pure benevolence in the beaming of his blue unclouded eye!"—M.

However, as an Englishman, I may rejoice in an event, which, if followed by Roman Catholic Emancipation, will ultimately abolish all national antipathy, and give a permanent consolidation to the empire; it can not be fairly questioned that every native of Ireland ought to have felt that her existence was at stake, and that, in place of making those advances in power, wealth, and civilization, to which her natural advantages would have inevitably led, she must of necessity sustain a declension as rapid as her progress toward improvement had previously been, and sink into the provincial inferiority to which she is now reduced. This conviction, the justice of which has been so well exemplified by the event, prevailed through Ireland; and it required all the seductions which the minister could employ, to produce the sentence of self-annihilation, which he at last succeeded in persuading a servile legislature to pronounce. To the honor of the Irish Bar, the great majority of its members were faithful to the national cause; and Curran, Plunket, Ponsonby,* Saurin, Burrowes, and Bushe, accomplished all that eloquence and patriotism could effect, in opposition to the mercenaries, who had sold the dignity of their profession, as well as the independence of their country, in exchange for that ignoble station, to which, by their slimy profligacies, they were enabled to crawl up. Bushe was the youngest of these able and honest men; but he was among the most conspicuous of them all.

In this strenuous resistance which was offered by the respectable portions of the Irish Bar to the measure which deprived Ireland of the advantages of a local legislature, a con-

* George Ponsonby, whose father had been speaker of the Irish House of Commons, was born in 1755, called to the Irish bar in 1780, was a violent parliamentary opponent of the Irish ministry, was appointed Lord Chancellor of Ireland, in 1806, by "All the Talents" Cabinet, procured a peerage at the same time for his elder brother, quitted office with his colleagues in 1807, on the retiring pension of four thousand pounds sterling a year, became a distinguished member of the Opposition, and died in July, 1817. He was not eloquent. A clever parody on Moore's "Believe me if all those endearing young charms" introduces his name thus—

"And Ponsonby leaves the debate when he sets,
Just as dark as it was when he rose."—M.

sciousness of deep personal interest must have been mingled with their public virtue; for, it was not difficult to foresee that the profession from which the government was compelled to make the selection of its parliamentary advocates, and to which the country looked for its ablest support, must sustain a fatal injury, from the deprivation of the opportunities of venality upon one hand, and of profitable patriotism upon the other. The House of Commons was the field to which almost every lawyer of abilities directed his hopes of eminence rather than to the courts of law; and it must be acknowledged, that with that field the career to high fame is closed upon the profession. Money may now be made in equal abundance by laborious ability (and, indeed, the quantity of talent and of industry at the Irish Bar demand in every individual who aims at important success a combination of both); but no very valuable reputation can be obtained.

Perhaps in the estimate of black-letter erudition the change is not to be deplored: and unquestionably the knowledge of law (for a few years ago the majority of barristers in full practice were ignorant of its elementary principles) has considerably increased, and English habits of business and of diligence are gradually beginning to appear. But the elevated objects of ambition, worthy of great faculties and of great minds, were withdrawn for ever. Mr. Bushe must have repined at the prospect. He would naturally have sought for mines of gold amid the heights of fame, and he was now reduced to the necessity of digging for it in an obscure and dreary level. It is well-known that Mr. Plunket had at the time entertained the intention of going to the English Bar, in consequence of the exportation of the legislature;* but the cautious timidity of his advisers induced him to abandon the idea. I am not aware whether Mr. Bushe had ever proposed to himself an abandonment of a country, from which true genius must have been tempted to become an absentee. But it is likely that his

* Curran was so dispirited with what passed in the Irish "Reign of Terror," in 1798, that though then forty-eight years old, he also had serious thoughts of abandoning the Irish for the English bar. He stated this fact in one of his speeches in defence of the state prisoners.—M.

pecuniary circumstances, which, in consequence of his spontaneous generosity in paying off his father's debts (his own sense of duty had rendered them debts of honor in his mind) were at this period extremely contracted, must have prevented him from engaging in so adventurous an enterprise.

To him, individually, however, if the Union was accompanied with many evils, it was also attended with countervailing benefits. Had the Irish Parliament been permitted to exist, Mr. Bushe would, in all probability, have continued in opposition to the government, upon questions to which much importance would have been annexed. Catholic Emancipation, which is now not only innocent, but in the mind of almost every enlightened man has become indispensable, would have been regarded as pregnant with danger to the state. Mr. Bushe, I am satisfied, could never have brought himself to resist what his own instincts must have taught him to be due to that justice which he would have considered as paramount to expediency. Many obstacles would have stood in the way of a sincere reconciliation with the government, and he could not afford to play the part of Fabricius. Whether the arguments which Lord Castlereagh* knew so well how to apply,

* It was Robert Stewart, Lord Castlereagh (who succeeded his father in 1821, as Marquis of Londonderry), who chiefly brought about the Union. Born in 1769, he entered the Irish parliament in early manhood, when Mr. Stewart, after a contest which cost thirty thousand pounds sterling, joined the opposition, and advocated Parliamentary Reform, which Pitt then favored. When he became a member of the British Parliament, he became ministerial. In 1797, after he had become Lord Castlereagh, he returned to the Irish Parliament and was made Keeper of the Privy Seal in Ireland, and, soon after, one of the Lords of the Treasury. In 1798, he became Irish Secretary, and wielded immense power. In 1805, still sitting in the Imperial Parliament for the county of Down, he was admitted into the British Cabinet, retired on the death of Mr. Pitt, but resumed office in 1807, when the Grenville Ministry broke up. In 1809, quarrelling with Mr. Canning, whom he wounded in a duel, he quitted office, but succeeded the Marquis Wellesley, in 1812, as Foreign Secretary, which office he retained until his suicide, in August, 1822. He took part in the negotiations at the Congress of Vienna, after the fall of Napoleon. From that time until the close of his life, he was leader of the ministerial party, and governed the British empire with a strong hand. Constant mental labor led to insanity and death. At his funeral, when his remains were entering Westminster Abbey, where he was buried, the populace gave

and before which, in the estimate of the House of Commons, all the eloquence of Grattan was reduced into a magnificent evaporation, would have prevailed upon Mr. Bushe, as they did with the majority of the Irish members, it is unnecessary to conjecture; but unquestionably had not the Union passed, he must have abandoned his political opinions before he could have been raised to office. When, however, that measure was carried, a compromise became easy, and was not, in my opinion, dishonorable.

Accordingly, although he had opposed the government on the measure which they had most at heart, their just sense of his talents induced them to offer him the place of Solicitor-General, to which he was promoted in thirteen years after he had been called to the Bar. That office he has since held, and rendered the most important services to the minister, without, perhaps, at the same time, ever having been guilty of any direct dereliction of his former opinions. He was placed, indeed, in rather an embarrassing condition; for his associate, or rather, his superintendent in office, Mr. Saurin,* was conspicuous for his hatred to the Roman Catholic cause, of which Mr. Bushe had been, and still professed himself, the earnest friend. This antipathy to the Roman Catholics formed the leading, I may say, the only feature, in the political character of Saurin, who had simplified the theory of government in Ireland, by almost making its perfection consist in the oppression of a majority of its people. Bushe, on the other hand, had often declared, that he considered the general degradation of so large a class of the community as incompatible with national felicity.

This difference of opinion is said to have produced a want of cordiality between the two servants of the crown: Bushe, however, with all his liberality of feeling (and I have no

three shouts of joy over his coffin. A like demonstration marked the funeral of Lord Chancellor Clare, in Ireland; he had threatened to make the Irish people "tame as cats," and the exasperated thousands who gladly witnessed the close of his career, flung heaps of dead cats upon his coffin.—M.

* Mr. Saurin, Attorney-General to Ireland from 1807 until 1822, is the subject of a subsequent sketch.—M.

doubt that his professions were entirely sincere), was of infinitely more use to the government than Saurin could possibly have been, when the suppression of the Roman Catholic board* was resolved upon. The latter, upon the trial of the delegates, exhibited a sombre virulence, which was calculated to excite wonder rather than conviction. Its gloomy animosity was without a ray of eloquence.

Bushe produced a very different effect. He stood before the jury as the advocate of the Catholic cause, to suppress the Roman Catholic board. The members of that body had been designated as miscreants by Mr. Saurin (that learned gentleman appears to be averse to any circumlocutory form of phrase); Solicitor-General Bushe called them his friends. With a consummate wile he professed himself the champion of the people, and put forth all his ardor in insisting upon the necessity of concession to six millions of men. To the utterance of these sentiments, which astonished Mr. Saurin, he annexed the full power of his wonderful delivery.† His countenance became inflamed; his voice assumed all the varieties of its most impassioned intonation; and his person was informed and almost elevated by the consciousness of the noble thoughts which he was enforcing, for the purpose of investing the very fallacies

* The Roman Catholic Board was the precursor of the Catholic Association of 1825. Before it dissolved, it voted O'Connell a service of plate worth one thousand pounds sterling, as an acknowledgment of his zeal and ability. — M.

† Bushe's manner must have been very good. Phillips, writing in 1818, thus described it: "To be properly appreciated, Bushe must be seen and heard. He is the living justification of Demosthenes' dictum — emphatically the *orator of manner*. His eye — his face — his gesture — his very hand, *speaks;* all grace, all sweetness, all expression — his tongue, dropping manna, is, perhaps, the most silent organ of his oratory." In 1850, Phillips again said: "By nature enriched with the rare gift of genius, he engrafts on it every grace that art can furnish. The sweet-toned tongue, lavishing profusely the treasures of language, intellect, and learning, speaks not more expressively to heart or head, than the glance, the action, the attitude, which wait upon his words, as it were, with an embodied eloquence." He subsequently praised the consummate acting, where "not one trace of art betrays the toil by which it has been fashioned into Nature's image," and eulogizes "the might of his reasoning, the music of his diction, and the absolute enchantment of his exquisite delivery." This is high praise, but most of his contemporaries have said as much. — M.

which he intended to inculcate with the splendid semblances of truth.

After having wrought his hearers to a species of enthusiasm, and alarmed Attorney-General Saurin by declaring, with an attitude almost as noble as the sentiment which it was intended to set off, that he would throw the constitution to his Catholic countrymen as widely open as his own breast, he suddenly turned back, and, after one of those pauses, the effect of which can be felt by those only who have been present upon such occasions, in the name of those very principles of justice which he had so powerfully laid down, he implored the jury to suppress an institution in the country, which he asserted to be the greatest obstacle to the success of that measure, for the attainment of which it had been ostensibly established.

The eloquence of Mr. Bushe, assisted by certain contrivances behind the scenes, to which government is, in Dublin, occasionally obliged to resort, produced the intended effect. I doubt not that a jury so properly compounded (the panel of which, if not suggested, was at least revised) would have given a verdict for the crown, although Mr. Bushe had never addressed them. But the government stood in need of something more than a mere verdict. It was necessary to give plausibility to their proceedings, and they found it in the oratory of this distinguished advocate. Is it not a little surprising that Mr. Bushe should, in despite of the vigor of his exertions against the Catholic board, and their success, have still retained his popularity? It would be natural that such services as he conferred upon the ministry, which appeared so much at variance with the interests, and in which he acted a part so diametrically in opposition to the passions of the people, should have generated a feeling of antipathy against him. But the event was otherwise. He had previously ingratiated himself so much in the general liking, and so liberal an allowance was made for the urgency of the circumstances in which he was placed, that he retained the favor not only of the better classes among the Roman Catholics, but did not lose the partialities of the populace itself. At all events, the benefits he rendered to the

government were most material, and gave him the strongest claims upon their gratitude.*

Another remarkable instance occurred not very long ago, of the value of such a man to the Irish administration, and it is the more deserving of mention, as it is connected with circumstances which have excited no inconsiderable interest in the House of Commons, and brought Mr. Plunket and his rival into an immediate and honorable competition. I allude to the case of the Chief Baron O'Grady,† when he set up a claim to nominate to the office of clerk of the pleas in the Court of Exchequer in Ireland. The prize for which the learned Judge was adventuring was a great one, and well worth the daring experiment for which he exposed himself to the permanent indignation of the government. The salary of the office was to be counted by thousands, and the Chief Baron thought it would be as conducive to the public interests, and as consistent with the pure administration of justice, that he should appoint one of his own family to fill the vacancy which had occurred, as that the local ministry of Ireland should make the appointment. The matter was brought before Parliament; and much

* At Kilkenny private theatricals, when pressed for an opinion, he said that he preferred the *prompter*, for he heard the most and saw the least of him. At a dinner given by a Dublin Orangeman, when politics ran high, and Bushe was suspected of holding pro-Catholic opinions, the host indulged so freely that he fell under the table. The Duke of Richmond, who then was Viceroy, picked him up and replaced him in the chair. "My Lord Duke," said Bushe, "though you say I am attached to the Catholics, at all events I never assisted *at the elevation of the Host*." Sir Robert Peel, who was present, related this *bon-mot*. One of Bushe's relations, who rarely indulged in any ablutions, complained of a sore throat. "Fill a pail with hot water, until it reach your knees; then take a pint of oatmeal, and scrub your legs with it for quarter of an hour," was what Bushe recommended as a remedy. "Why, hang it! man," said the other, "that's *washing one's feet*."—"I admit, my dear fellow," replied Bushe, gravely, "it *is* liable to *that* objection."—M.

† Standish O'Grady, born in 1766, called to the bar in 1787, appointed Attorney-General for Ireland in 1803, and made Chief Baron of the Irish Exchequer, which office he held until 1831, when he was created Viscount Guillamore and Baron O'Grady, in the peerage of Ireland. He died April 21, 1840, aged seventy-four. He was a man of shrewd and caustic wit, a good lawyer, and a social companion. He was very proud of his family, which was one of the oldest in Ireland.—M.

was said, though I think unjustly, upon the ambitious cupidity of his pretensions. The right of nomination was made the subject of legal proceedings by the Crown; and the Attorney-General, Mr. Saurin, thought proper to controvert the claims of the Chief Baron in the shape of a *quo warranto*, which was considered a harsh and vexatious course by the friends of the learned Judge, in order to ascertain the naked question of right. The latter secured Mr. Plunket as his advocate. He had been his early friend, and had contributed, it was said, to raise him to the place of Solicitor when he was himself appointed to that of Attorney-General, and had lived with him upon terms of the most familiar intercourse. It was stated—but I can not answer for the truth of the general report—that he sent him a fee of three hundred pounds, which Mr. Plunket returned, but which the Chief Baron's knowledge of human nature (and no man is more deeply read in it) insisted upon his acceptance—partly, perhaps, because he did not wish to be encumbered with an unremunerated obligation, and no doubt because he was convinced, as every lawyer is by his professional experience, that the greatest talents stand in need of a pecuniary excitation, and that the emotions of friendship must be stimulated by that sense of duty which is imposed by the actual perception of gold.* I am sure that Mr. Plunket would have strained his mind to the utmost pitch, without this additional incentive, upon behalf of his learned friend; but still the Chief Baron exhibited his accustomed sagacity, in insisting upon the payment of a fee.

This was a great cause. The best talents at the bar were arrayed upon both sides. The issue was one of the highest importance, and to which the legislature looked forward with anxiety. The character of one of the chief Judges of the land was in some degree at stake, as well as the claims which he had so enterprisingly advanced; and every circumstance conspired to impart an interest to the proceedings, which does not

* It is recorded of the eminent Dr. Radcliffe, founder of the library at Oxford which bears his name, that when he felt unwell he used always to take a guinea out of one pocket and deposite it in another (as a fee), before he would feel his own pulse and prescribe for himself.—M.

frequently arise. Mr. Saurin stated the case for the Crown with his usual solemnity and deliberation, and with that accuracy and simplicity which render him so valuable an advocate in a court of equity. He was followed by Mr. Plunket, who entered warmly into the feelings of his client, and thought that an unfair mode of proceeding had been adopted in his regard. He exhibited in his reply that fierce spirit of sarcasm which he has not yet fully displayed in the House of Commons, though it is one of the principal ingredients in his eloquence. His metaphors are generally sneers, and his flowers of speech are the aconite in full blow. He did not omit the opportunity of falling upon his political antagonist, in whom he left many a scar, which, though half-healed, are visible to the present day. His oration was as much a satire as an argument, and exhibited in their perfection the various attributes of his mind.

As for Bushe, who had to reply, his oratorical ambition was in all probability powerfully excited by the sentiment of emulation, and he exerted all the resources of his intellect in the contest. His speech was a masterpiece; and in the general opinion, in those parts of it which principally consisted of declamatory vituperation, he won the palm from his competitor. He was pure, lofty, dignified, and generously impassioned. If his reasoning was not so subtile and condensed, it was more guileless and persuasive, and his delivery far more impressive and of a higher and more commanding tone. A very accurate and cold-blooded observer would have perceived, perhaps, in the speech of Mr. Plunket, a deeper current of thought and a more vigorous and comprehensive intellect: but the great proportion of a large assembly would have preferred the eloquence of Bushe. The true value of it can not be justly estimated by any particular quotations, as the chief merit of all his speeches consists in the unity and proportion of the whole, rather than the beauty and perfection of the details.*

The great reputation obtained by Mr. Plunket in the House of Commons, and which has given him a sway so much more important, and a station so much more valuable than any pro-

* Brougham said of Bushe's five hours' speech in the Trimbleston cause, that the narrative of Livy himself did not surpass that great effort. — M.

fessional elevation, no matter how exalted, can bestow must have often excited in the mind of Mr. Bushe, as well as in his admirers, a feeling of regret that he did not offer himself as a candidate for a seat in the Imperial Parliament. It is the opinion of all those who have had the opportunity of hearing Mr. Bushe, that he would have made a very great figure in the English House of Commons; and for the purpose of enabling those who have not heard him to form an estimate of the likelihood of his success in that assembly, and of the frame and character of his eloquence, a general delineation of this accomplished advocate may not be inappropriate.

The first circumstance which offers itself to the mind of any man, who recalls the recollection of Bushe, in order to furnish a description of his rhetorical attributes, is his delivery. In bringing the remembrance of other speakers of eminence to my contemplation, their several faculties and endowments present themselves in a different order, according to the proportions of excellence to each other which they respectively bear. In thinking, for example, of Mr. Fox, the torrent of his vehement and overwhelming logic is first before me. . . . If I should pass to his celebrated antagonist, I repose upon the majesty of his amplification. The wit of Sheridan,* the bla-

* Richard Brinsley Sheridan, born at Dublin in 1751, died in London, July 7, 1816. He was eminently distinguished, as a wit, boon-companion, orator, politician, and dramatist, at a time when eminent men were abundant. He was the friend of Fox, and long the intimate of the Prince of Wales. Habits of improvidence and extravagance made him constantly in difficulties. Intemperate habits ruined his health, and he died, broken in spirit, and in great want. His wit and eloquence were remarkable. Having stated that he never spoke well until after he had drank a couple of bottles of port, Father O'Leary said "this was like a porter; he could not get on without a *load on his head.*" When he wrote, he always drank. "A glass of wine," he used to say, "would encourage the bright thought to come: and then it was right to take another to reward it for coming." — Moore's *Life of Sheridan*, although naturally apologetic for its subject, is a brilliant record of a brilliant career. Byron's opinion of Sheridan, hastily thrown off in conversation, was this: "Whatever Sheridan has done or chosen to do has been *par excellence*, always the *best* of its kind. He has written the *best* comedy (School for Scandal), the *best* opera (the Duenna — in my mind far better than that St. Giles's lampoon, The Beggar's Opera), the *best* farce (The Critic — it is only too good for an after-piece), and the *best* address (Monologue on Garrick), and to crown all, delivered the very

zing imagination and the fantastic drollery of Curran, the forensic and simple vigor of Erskine,* and the rapid, versatile,

best oration (the famous Reform Speech), ever conceived or heard in this country." When Sheridan heard this compliment, shortly before his death, he burst into tears. — Moore's own tribute of the same date was less complimentary. In his "Two-Penny Post-Bag," describing a fashionable dinner in London, he said:—

"The *brains* were near Sherry, and once had been fine,
But, of late, they had lain so long soaking in wine,
That, though we, from courtesy, still choose to call
These brains very fine, they were no brains at all."

Compare this, also, with Byron's Monody in which he says that—

"Nature formed but one such man,
And broke the die, in moulding Sheridan,"

and Moore's own later mention of him as—

"The pride of the palace, the bower, and the hall,
The orator — dramatist — minstrel — who ran
Through each mode of the lyre, and was master of all."— M.

* Thomas Erskine, third son of the Earl of Buchan, a Scottish peer, was born in 1750. After serving in the navy and the army he went to the bar in 1778. Five years after (which was unusually rapid) he was made King's Counsel — a rank which advances the *status* of him who receives it. In the same year he entered Parliament. As an advocate (for he never was much of a lawyer) he obtained great practice and much eminence. In politics he sided with Fox, and thus became intimate with the Prince of Wales, who made him his Attorney-General — a post which he lost on undertaking the defence of Thomas Paine, in 1792, when prosecuted for publishing "The Rights of Man." His subequent defence of Hardy, Horne Tooke, and others, charged with high treason, and his vindication of the rights of the subject and the liberty of the press, made him extremely popular. His pamphlet on the War with France, ran through forty-eight editions, owing to his name alone, for it was not well written. In 1802, he resumed his official connection with the Prince of Wales, and, in 1806, on Pitt's death, was created Lord Erskine and made Lord Chancellor, but had to resign in 1807, when the ministry broke up. He obtained the usual retiring pension of four thousand pounds sterling a year (now five thousand pounds sterling), which is considered a right in England, where a lawyer can not go back to practice at the bar after having filled the office of judge. He soon sank into obscurity, and became involved in debt. Lord Erskine died in 1823. He had no success in Parliament, where, for the most part, barristers accustomed to speak to the array of judge, jury, and counsel, resemble the man spoken of by Locke, in his chapter on the association of ideas, who having learned to dance in a room where his trunk lay, could never dance afterward where that trunk was not present to witness his agility. Erskine was so fond of talking of himself that he was nick-named and caricatured as "Counsellor

and incessant intensity, of Plunket — are the first associations which connect themselves with their respective names. But there is no one peculiar faculty of mind which suggests itself in the first instance as the characteristic of Mr. Bushe, and which presses into the van of his qualifications as a public speaker. The corporeal image of the man himself is brought at once into the memory. I do not think of any one distinguishing attribute in the shape of a single intellectual abstraction — it is a picture that I have before me.

There is a certain rhetorical heroism in the expression of his countenance, when enlightened and inflamed, which I have not witnessed in the faces of other men. The phrase may, perhaps, appear too extravagant and Irish; but those who have his physiognomy in their recollection, will not think that the word is inapplicable. The complexion is too sanguineous and ruddy, but has no murkiness or impurity in its flush: it is indicative of great fullness, but, at the same time, of great vigor of temperament. The forehead is more lofty than expansive, and suggests itself to be the residence of an elevated rather than of a comprehensive mind. It is not so much "the dome of thought," as "the palace of the soul." It has none of the deep furrows and intellectual indentures which are observable in the forehead of Plunket, but is smooth, polished, and marble. The eyes are large, globular, and blue; extremely animated with idea, but without any of that diffusive irradiation which belongs to the expression of genius. They are filled with a serene light, but have not much brilliancy or fire. The mind within them seems, however, to be all activity and life, and to combine a singular mixture of intensity and deliberation. The nose is lightly arched, and with sufficient breadth of the nostrils (which physiognomists consider as a type of eloquence) to furnish the associations of daring and

Ego."—Once, on a trial of a patent for a shoe-buckle, he exclaimed, "How would my ancestors have looked at this specimen of modern dexterity?" and went on to laud his ancestors. Mingay, on the other side contemptuously remarked that if Erskine's *sans-culotte* ancestors would have wondered at his shoe-buckle, their astonishment would have been yet greater at — *his shoes and stockings;* the Scotch Highlanders wore neither. — M.

of power, and terminates with a delicacy and chiseled elegance of proportion, in which it is easy to discover the polished irony and refined satire in which he is accustomed to indulge. But the mouth is the most remarkable feature in his countenance: it is endowed with the greatest variety of sentiment, and contains a rare assemblage of oratorical qualities. It is characteristic of force, firmness, and precision, and is at once affable and commanding, proud and kind, tender and impassioned, accurate and vehement, generous and sarcastic, and is capable of the most conciliating softness and the most impetuous ire. Yet there is something artificial about it, from a lurking consciousness of its own expression. Its smile is the great instrument of its effects, but appears to be too systematic: yet it is susceptible of the nicest gradations. It merely flashes and disappears, or, in practised obedience to the will, streams over the whole countenance in a broad and permanent illumination: at one moment it just passes over the lips, and dies at the instant of its birth; and at another, bursts out into an exuberant and overflowing joyousness, and seems caught, in the fullness of its hilarity, from the face of Comus himself. But it is to satire that it is principally and most effectually applied. It is the glitter of the poisoned sneer that is leveled at the heart.

The man who is gifted with these powers of physiognomy is, naturally enough, almost too prodigal of their use: and a person who watched Mr. Bushe would perceive, that he frequently employed the abundant resources of his countenance instead of the riches of his mind. With him, indeed, a look is often sufficient for all purposes. It

> "Conveys a libel in a frown,
> And winks a reputation down."

There is a gentleman at the Irish bar, Mr. Henry Deane Grady,* one of whose eyes he has himself designated as "his

* Henry Deane Grady was a barrister of some celebrity in Ireland. He long had a large income as one of the counsel to the Irish Commissioners of Custom and Excise, and retired on a pension of two thousand pounds sterling a year. He had what O'Connell used to call "a swivel eye," which he could bring to bear, curiously enough, upon a jury. His wink, it was declared said as much as many a rival's speech.—M.

jury eye;" and, indeed, from his frequent application of its ludicrous qualifications, which the learned gentleman often substitutes in the place of argument, even where argument might be obviously employed, has acquired a sort of professional distortion, of which he appears to be somewhat singularly proud. Mr. Bushe does not, it is true, rely so much upon this species of ocular logic; but even he, with all his good taste, carries it to an extreme. It never amounts to the buffoonery of the old school of Irish barristers, who were addicted to a strange compound of tragedy and farce; but still it is vicious from its excess.

The port and attitude of Mr. Bushe are as well suited to the purposes of impressiveness as his countenance and its expression. His form, indeed, is rather too corpulent and heavy, and if it were not concealed in a great degree by his gown, would be considered ungainly and inelegant. His stature is not above the middle size; but his chest is wide and expansive, and lends to his figure an aspect of sedateness and strength. In describing the ablest of his infernal senate, Milton has particularly mentioned the breadth of his "Atlantean shoulders." The same circumstance is specified by Homer in his picture of Ulysses; and however many speakers of eminence have overcome the disadvantages of a weak and slender configuration, it can not be doubted that we associate with dignity and wisdom an accompaniment of massiveness and power.

His gesture is of the first order. It is finished and rounded with that perfect care, which the orators of antiquity bestowed upon the external graces of eloquence, and is an illustration of the justice of the observation made by the master of them all, that action was not only the chief ingredient, but almost the exclusive constituent, of excellence in his miraculous art. There is unquestionably much of that native elegance about it, which is to the body what fancy and imagination are to the mind, and which no efforts of the most laborious diligence can acquire. But the heightening and additions of deep study are apparent. The most minute particulars are attended to. So far, indeed, has an observance of effect been carried, that, in serious obedience to the ironical precept of the satirist, he

wears a large gold ring, which is frequently and ostentatiously displayed upon his weighty and commanding hand. But it is the voice of this fine speaker which contains the master-spell of his perfections. I have already mentioned its extraordinary attributes, and, indeed, it must be actually heard in order to form any appreciation of its effects.

It must be acknowledged by the admirers of Mr. Bushe, that his delivery constitutes his chief merit as an advocate, for his other powers, however considerable, do not keep pace with it. His style and diction are remarkably conspicuous and clear, but are deficient in depth. He has a remarkable facility in the use of simple and unelaborated expression, and every word drops of its own accord into that part of the sentence to which it most properly belongs. The most accurate ear could not easily detect a single harshness, or one inharmonious concurrence of sounds, in the course of his longest and least premeditated speech. But, at the same time, there is some want of power in his phraseology, which is not either very original or picturesque. He indulges little in his imagination, from a dread, perhaps, of falling into those errors to which his countrymen are so prone, by adventuring upon the heights which overhang them. But I am, at the same time, inclined to suspect that nature has not conferred that faculty in great excellence upon him. An occasional flush gleams for a moment over his thoughts, but it is less the lightning of the imagination, than the warm exhalation of a serene and meteoric fancy.*

Curran, with all his imperfecti ons, would frequently redeem the obscurity of his language, by a single expression that threw a wide and piercing illumination far around him, and left a track of splendor upon the memory of his audience which was slow to pass away; but, if Bushe has avoided the defects into which the ambition and enthusiasm of Curran

* Lord Brougham, who did not make Bushe's acquaintance until 1839, when he went to London to give evidence before the Irish Committee in the House of Lords, then formed the very high opinion of him which he expressed in his *Statesmen*. He said, "all that one had heard of the wonderful fascination of his manner, both at the bar and upon the bench, became easily credible to those who heard his evidence."—M.

were accustomed to hurry him, he has not approached him in richness of diction, or in that elevation of thought to which that great speaker had the power of raising his hearers with himself. He was often "led astray," but it was "by light from Heaven." On the other hand, the more level and subdued cast of thinking and of phrase, which have been adopted by Mr. Bushe, are better suited to cases of daily occurrence; and I own that I should prefer him for my advocate, in any transaction which required the art of exposition, and the elucidating quality which is so important in the conduct of ordinary affairs. He has the power of simplifying in the highest degree. He evolves, with a surprising facility, the most intricate facts from the most embarrassing complication, and reduces, in a moment, a chaotic heap of incongruous materials into symmetry and order. In what is called "the narration" in discourses upon rhetoric, his talent is of the first rank. He clarifies and methodises every topic upon which he dwells, and makes the obscurest subject perspicuous and transparent to the dullest mind.

His wit is perfectly gentlemanlike and pure.* It is not so vehement and sarcastic as that of Plunket, nor does it grope for pearls, like the imagination of Curran, in the midst of foulness and ordure. It is full of smooth mockery and playfulness, and dallies with its victim with a sort of feline elegance and grace. But its gripe is not the less deadly for its procrastination. His wit has more of the qualities of raillery than of imagination. He does not accumulate grotesque images together, or surprise by the distance of the objects between which he discovers an analogy. He has nothing of that spirit of whim which pervaded the oratory of Curran, and made his mind appear at moments like a transmigration of Hogarth. Were a grossly ludicrous similitude to offer itself to him, he would at once discard it as incompatible with that chastised

* His conversation merited Brougham's eulogy that "nothing could be more delightful." His wit came without effort. Once, when two bishops declared that, in choosing the officers of the Ecclesiastical Board, they must vote for the nominees of the minister, to whom they owed their mitres, Bushe sent a slip to Plunket, "It is he that hath made us and not we ourselves: we are his people, and the sheep of his pasture."—M.

and subjugated ridicule in which alone he permits himself to indulge.

But from this circumstance he draws a considerable advantage. The mirth of Curran was so broad, and the convulsion of laughter, which by his personations (for his delivery often bordered upon a theatrical audacity) he never failed, whenever he thought proper, to produce, disqualified his auditors and himself for the more sober investigations of truth. His transitions, therefore, were frequently too abrupt; and with all his mastery over his art, and that Protean quality by which he passed with an astonishing and almost divine facility into every different modification of style and thought, a just gradation from the extravagance of merriment to the depth of pathetic emotion could not always be preserved. Bushe, on the other hand, never finds it difficult to recover himself. Whenever he deviates from that sobriety which becomes the discussions of a court of justice, he retraces his steps and returns to seriousness again, not only with perfect ease, but without even leaving a perception of the change. His manner is admirably chequered, and the various topics which he employs, enter into each other by such gentle and elegant degrees, that all the parts of his speech bear a just relation, and are as well proportioned as the several limbs of a fine statue to the general composition of the whole. This unity, which in all the arts rests upon the same sound principles, is one of the chief merits of Mr. Bushe as a public speaker.

There is a fine natural vein of generous sentiment running through his oratory. It has often been said that true eloquence could not exist in the absence of good moral qualities. In opposition to this maxim of ethical criticism, the example of some highly-gifted but vicious men has been appealed to; but it must be remembered, in the first place, that most of those whose deviations from good conduct are considered to afford a practical refutation of this tenet (which was laid down by the greatest orator of antiquity) were not engaged in the discussion of private concerns, in which, generally speaking, an appeal to moral feeling is of most frequent occurrence; and in the next place, there can be little doubt, that although a

series of vicious indulgences may have adulterated their natures, they must have been endowed with a large portion of generous instinct. However their moral vision might have been gradually obscured, they could not have been born blind to that sacred light which they knew how to describe so well. Nay, more: I will venture to affirm, that, in their moments of oratorical enthusiasm, they must have been virtuous men.

As the best amongst us fall into occasional error, so in the spirit of lenity to that human nature to which we ourselves belong, we should cherish the hope that there are few indeed so bad, as not in imagination at least to relapse at intervals to better sentiment and a nobler cast of thought. However the fountains of the heart may have been dried and parched up, enough must at least remain to show that there had been a living spring within them. At all events there can be no eloquence without such an imitation of virtue, as to look as beautiful as the original from which the copy is made. Mr. Bushe, I confidently believe, bears the image stamped upon his breast, and has only to feel there, in order to give utterance to those sentiments which give a moral dignity and elevation to his speeches. His whole life, at least, is in keeping with his oratory;* and any one who heard him would be justly satisfied that

* Charles Kendal Bushe, born in January, 1767, at Kilmurry (the ancient seat of his family, which he eventually repurchased after the extravagance of his relatives had lost it), entered Trinity College, Dublin, in 1782—the year of Ireland's independence. He soon became one of the most eloquent debaters in the Historical Society, where he had Plunket as a rival. At that time, the gallery of the Irish House of Commons was open to the University students, provided they wore their academic attire. Bushe was a constant attendant in that great school for orators. In 1793, he was called to the bar, and speedily succceded there. In 1799, he entered Parliament, where he was second only to Plunket in opposing the Union. In 1805, he had reached such a station at the bar, as to justify his being made one of the King's Sergeants, and in the same year, Lord Hardwicke being Viceroy, was appointed Solicitor-General. This was a concession to the liberal cause, for Bushe was known to be friendly to Catholic Emancipation, though, after the Union, he had taken no part in politics. He continued in his office under "All the Talents" Ministry of 1806–'7, and was retained in that office, under successive administrations, until early in 1822, when Saurin, put over his head in 1807, as Attorney-General, waived his claims to the Chief Justiceship, on Downes' retirement, and Bushe was appointed. As a judge, Bushe gave general satisfaction, for more than twenty

he had been listening to a high-minded, amiable, and honorable man.

The following extract from one of his best speeches will illustrate the quality to which I have alluded, as well as furnish a favorable example of the general tone of his eloquence.* He is describing the forgiveness of a husband; and, as this article has already exceeded the bounds which I had prescribed to myself, I shall conclude with it: "It requires obdurate and habitual vice and practised depravity to overbear the natural workings of the human heart: this unfortunate woman had not strength farther to resist. She had been seduced, she had been depraved, her soul was burdened with a guilty secret; but she was young in crime and true to nature. She could no longer bear the load of her own conscience — she was

years while he held that office. As an advocate at Nisi Prius, few men won more verdicts. He had tact for which Scarlett was eminent, at the English bar, but he also had genius, eloquence, and wit, which Scarlett had not. His manner has already been noticed; John Kemble called him "the most perfect actor off the stage." As a forensic speaker, clearness of statement was his great merit. — Bushe married the sister of Sir Philip Crampton, the Surgeon General of Ireland and father of the present British Minister at Washington. He was offered a peerage and declined it. — In 1842, he retired frem the bench, on a pension of three thousand pounds sterling a year. He died, at his son's seat near Dublin, on July 7, 1843. — M.

* The nobleman was Lord Cloncurry, and his guilty wife, from whom he was divorced, was daughter of General Morgan. Lord Cloncurry was born in August, 1773, and died at Blackrock, near Dublin, October, 1853. He entered early into public affairs, and was mixed up with them for more than half a century. He was educated at Oxford, and joined the United Irishmen, on his return. The Emmetts, Sampson, and O'Connor, were his close friends. He established a branch of the united body in London, was suspected by the Government, arrested, and examined before the Privy Council, when he admitted that he was a member of the society. He was cautioned and discharged, but was again apprehended, committed to the Tower, and detained there for two years. From that time he was a staunch Liberal, and, though a Protestant, the earnest advocate of the Catholic Claims. He was O'Connell's personal friend and admirer — though he did not go quite to the same extent in politics. The Whig Ministry gave him an English Peerage. A few years ago, he published his Recollections — full of anecdotes, and written with great clearness. He bequeathed a handsome legacy to the Dublin Library — provided it assume the more national name of the Hibernian Athenæum. Cecil Lawless, his youngest son, avowed himself a Repealer, in 1846, when he was made member for Clonmel. — M.

overpowered by the generosity of an injured husband, more keen than any reproaches — she was incapacitated from any further dissimulation; she flung herself at his feet. 'I am unworthy,' she exclaimed, 'of such tenderness and such goodness — it is too late — the villain has ruined me and dishonored you: I am guilty.' — Gentlemen, I told you I should confine myself to facts; I have scarcely made an observation. I will not affront my client's case, nor your feelings, nor my own, by common-placing upon the topic of the plaintiff's sufferings. You are Christians, men; your hearts must describe for me; I can not — I affect not humility in saying that I can not — no advocate can; — as I told you, your hearts must be the advocates. Conceive this unhappy nobleman in the bloom of life, surrounded with every comfort, exalted with high honors and distinctions, enjoying great property, the proud proprietor, a few hours before, of what he thought an innocent and an amiable woman, the happy father of children whom he loved, and loved the more as the children of a wife whom he adored — precipitated in one hour into an abyss of misery which no language can represent, loathing his rank, despising his wealth, cursing the youth and health that promised nothing but the protraction of a wretched existence, looking round upon every worldly object with disgust and despair, and finding in this complicated wo no principle of consolation, except the consciousness of not having deserved it. Smote to the earth this unhappy man forgot not his character; — he raised the guilty and lost penitent from his feet; he left her punishment to her conscience and to Heaven; her pardon he reserved to himself. The tenderness and generosity of his nature prompted him to instant mercy — he forgave her — he prayed to God to forgive her; he told her that she should be restored to the protection of her father; that until then her secret should be preserved and her feelings respected, and that her fall from honor should be as easy as it might; but there was a forgiveness for which she supplicated, and which he sternly refused; he refused that forgiveness which implies the meanness of the person who dispenses it, and which renders the clemency valueless because it makes the man despicable; he refused to take back to his

arms the tainted and faithless woman who had betrayed him; he refused to expose himself to the scorn of the world and his own contempt;—he submitted to misery; he could not brook dishonor."*

* Since the above article was written [it was published in October 1822], Mr. Bushe has been raised to the office of Chief Justice of the King's Bench, in consequence of the *resignation* of Mr. Downes, who has at last proved himself possessed of the Christian virtue which Mr. Bushe used to say was the only one he wanted.

WILLIAM SAURIN.

Mr. Saurin is the son of a Presbyterian clergyman, who followed the duties of his pious but humble calling in the north of Ireland. His grandfather was a French Protestant, who, after the revocation of the edict of Nantz, sought an asylum in Ireland. He is said to have belonged to the family of the celebrated preacher of his name.* Mr. Saurin was educated in the University of Dublin. It does not appear that he was distinguished by any signal proficiency, either in literature or in science. A collegiate reputation is not a necessary precursor to professional success. He was called to the bar in the year 1780. His progress was slow, and for thirteen years he remained almost unknown. Conscious of his secret merits, he was not disheartened, and employed that interval in accumulating the stores of legal knowledge. He had few qualities, indeed, which were calculated to bring him into instantaneous notice. He wrought his way with an obscure diligence, and, indeed, it was necessary that he should attain the light by a long process of exfodation.

To this day, there is too frequent an exhibition of boisterous ability at the Irish bar; but in the olden time, the qualifi-

* William Saurin, born in 1757, was called to the Irish bar in 1780, received a patent of precedence (immediately after the Prime Sergeant, Attorney and Solicitor General) in July, 1798, was made Attorney-General in May, 1807, and retained that office until January, 1822, when Mr. Plunket succeeded him. It was expected, from his high attainments, and the return of his party to office, that he would have succeeded Sir Anthony Hart, as Chancellor, in 1830. Mr. Saurin, although a strong political partisan, had many personal friends, even among his opponents. His honor, honesty, and ability, were unimpeached He died in Dublin, in February, 1839, in his eighty-third year.—M.

cations of a lawyer were measured in a great degree by his powers of vociferation. Mr. Saurin was imperfectly versed in the stentorian logic which prevailed in the roar of Irish *nisi prius;* neither had he the matchless imperturbability of front, to which the late Lord Clonmel* was indebted for his brazen

* John Scott, who eventually became Earl of Clonmel, Chief-Justice of Ireland, was born in June, 1739. His parents were in a very humble rank of life. While at school, he rendered some small service to young (afterward Lord) Carleton, whose father went to the expense of sending him to college, and of his call to the Irish bar. He speedily rose to eminence, and entered the Irish Parliament on the recommendation of Lord Lifford, then Chancellor. In 1774 he was made Solicitor, and in 1777 Attorney-General, which he remained until 1782. He was made Chief-Justice of the King's Bench in 1784—with which office he also held the rich sinecure of Clerk of the Pleas in the Court of Exchequer—and was created an Irish peer, as Baron Erlsfort. In 1789, he was made Viscount Clonmel, and was further advanced to an Earldom in 1793. He died in May, 1798, leaving a fortune of twenty-two thousand pounds sterling a year.—This man, whose talents were great, may be said to have got on by sheer impudence and bullying. He knew the world well, and how to play his cards in it. Where argument would not succeed, he endeavored to defeat his opponent by duelling. Among others, he fought with Curran. He was master of sarcasm and ridicule, and unscrupulous in their use. In private life, he was amiable, witty, and agreeable; full of anecdote, indelicate and coarse, but amusing. On the bench he was overbearing, particularly to Curran, his old opponent. Having publicly insulted Mr. Hackett, one of their body, the bar held a meeting, at which they resolved, with only one dissentient voice, "that until his Lordship publicly apologized, no barrister would either take a brief, appear in the King's Bench, or sign any pleadings for that Court." Accordingly, when the Judges sat, neither counsel nor attorneys were to be seen. The result was, that the Chief-Justice, Lord Clonmel, published an apology in the newspapers, which was adroitly dated as if written on the evening of the offence, and *before* the meeting of the bar, therefore voluntary. Some time before he died, a report of his illness got out. "Do you believe it?" said some one to Curran. The reply was, "I believe that he is scoundrel enough to live or die, *just as it suits his own convenience.*" His personal appearance was remarkable. He had an immense hanging pair of cheeks—vulgarly called *jowls*—and a huge treble chin, to correspond. Looking back, toward the close of his political career, as behooves all men to do as they pass into the shadows of the vale of life, Lord Clonmel is said to have remarked, "As to myself, if I were to begin life again, I would rather be a chimney-sweeper than connected with the Irish Government." Two of Lord Clonmel's maxims are worthy of being remembered One was, "Whatever may be done in the course of the week, always do on Monday morning." The other, which he gave as applicable to married life, was—"Never do anything for *peace-sake:* if you do, you buy all

coronet; but his substantial deserts were sure to appear at last. If he could not fly, he had the strength and the tenacity requisite to climb. His rivals were engaged in the pursuit of political distinction and oratorical renown; all his labors, as well as his predilections, were confined to his profession. While others were indulging in legislative meditations, he was buried in the common law. An acute observer would have seen in his unostentatious assiduity the omen of a tardy but secure success. A splendid intellect will, in all likelihood, ascend to permanent eminence, but the odds of good fortune are in favor of the less conspicuous faculties.

Plunket and Saurin have risen to an equality in professional distinction; but, when they both commenced their career, upon a sober calculation, the chances would have been found, I think, upon the side of the latter. Like the slow camel and the Arabian courser, both may be fitted to the desert; and, although the more aspiring and fleeter spirit may traverse in a shorter period the waste of hardships and discouragement which lies between it and success, while, with all its swiftness and alacrity, it requires an occasional relief from some external source of refreshment and of hope: yet, bearing its restoratives in itself, the more slow and persevering mind pursues its progress with an unabated constancy, and often leaves its more rapid but less enduring competitor drooping far behind, and exhausted by the labors of its desolate and arid course.

After many years of disappointment, perhaps, but not of despondency, Mr. Saurin's name began to be whispered in the Hall. The little business with which he had been intrusted was discharged with such efficiency, that he gradually acquired a reputation for practical utility among the attorneys of the north. Many traits of the Scotch character are observable in the Presbyterian colony which was established in that part of Ireland; and their mutuality of support is among the honorable peculiarities which mark their origin from that patriotic and self-sustaining people. They may be said to advance un-

future tranquillity only by concession." When asked if this last were his own rule of practice, he confessed that it was not, as a philosopher had an easier life of it than a soldier! — M.

der a testudo. It is remarked at the Irish bar that a northern attorney seldom employs a southern advocate. Mr. Saurin, though descended from a Gallic progenitor, had, I believe, some auspicious mixture of Caledonian blood (with a French face, he has a good deal of the Scotchman in his character); and that circumstance, together with the locality of his birth, gave him claims to the patronage of the attorneys of his circuit. Those arbiters of fortune recognised his merits. It was soon perceived by these sagacious persons that a good argument is more valuable than a flower of speech, and that the lawyer who nonsuits the plaintiff is as efficacious as the advocate who draws tears from the jury.

Mr. Saurin's habits of despatch were also a signal recommendation. To this day, under a pressure of various occupancy, he is distinguished for a regularity and promptitude, which are not often to be found among the attributes of the leading members of the Irish Bar. Most, indeed, of their more eminent advocates are "illustrious diners-out." It is provoking to see the fortunes of men hanging in miserable suspense upon their convivial procrastinations. Mr. Saurin still presents an exemplary contrast to these dilatory habits; and it is greatly creditable to him that he should persevere, from a sense of duty in a practice which was originally adopted as a means of success.

The first occasion on which he appears to have grown into general notice, was afforded at a contested election. At that period, which was about sixteen years after he had been called to the bar, a lawyer at an Irish election was almost a gladiator by profession; his pistols were the chief implements of reasoning to which he thought it necessary to resort. "Ratio ultima," the motto which the great Frederick caused to be engraven upon his cannon,* would not have been an inappro-

* George III. presented "the Great Lord Clive" (as he is called, to distinguish him from the small-minded inheritors of his title) with one of the cannon which had been captured, by Lord C., in the Indian wars. This piece of ordnance, which remains at Powis Castle, in Wales (the seat of the Clive family), has engraven on it an inscription, stating the donor's name, but the sentence "Ultima ratio regum" (the last argument of Kings) is certainly a curious motto on a royal gift. — M.

priate designation of the conclusive arguments which were then so much in use in Hibernian dialectics. I am not aware, that Mr. Saurin was ever accounted an eminent professor in this school of logic: upon this occasion, however, he distinguished himself by qualifications very distinct from the barbarous accomplishments which bring intellect and dullness to such a disastrous level. His extensive and applicable knowledge, his dispassionate perspicuity, and minute precision, won him a concurrence of applause. He became known upon his circuit, and his fame soon after extended itself to the metropolis. His progress was as swiftly accelerated as it had previously been slow: every occasion on which he was employed furnished a new vent to his accumulated information. He was at length fairly launched; and when once detached from the heavy incumbrances in which he had been involved, he made a rapid and conspicuous way; and it was soon perceived that he could carry more sail than gilded galliots which had started upon the full flood of popularity before him. He soon passed them by, and rode at last in that security which most of them were never destined to attain.

In the year 1798, Mr. Saurin was at the head of his profession, and was not only eminent for his talents, but added to their influence the weight of a high moral estimation. The political disasters of the country furnished evidence of the high respect in which he was held by the members of his own body. The Rebellion broke out, and the genius of loyalty martialized the various classes of the community. The good citizens of Dublin were submitted to a somewhat fantastic metamorphosis: the Gilpins of the metropolis, to the delighted wonder of their wives and daughters, were travestied into scarlet, and strutted, in grim importance and ferocious security, in the uneasy accoutrements of a bloodless warfare.

The love of glory became contagious, and the attorneys, solicitors, and six-clerks, felt the intense novelty of its charms. The Bar could not fail to participate in the ecstasy of patriotism: the boast of Cicero became inverted in this access of forensic soldiership, and every Drances, "loud in debate and bold in peaceful council," was suddenly transformed into a

warrior. The "toged counsel" exhibited a spectacle at once ludicrous and lamentable; Justice was stripped of her august ceremony and her reverend forms, and joining in this grand political masquerade, attired herself in the garb, and feebly imitated the aspect of Bellona. The ordinary business of the courts of law was discharged by barristers in regimentals; the plume nodded over the green spectacle—the bag was transmuted in the cartridge-pouch—the flowing and full-bottomed wig was exchanged for the casque; the chest, which years of study had bent into a professional stoop, was straightened in a stiff imprisonment of red; the flexible neck, which had been stretched in the distension of vituperative harangue, was enclosed in a high and rigid collar. The disputatious and dingy features of every minute and withered sophist were swollen into an unnatural bigness and burliness of look; the strut of the mercenary Hessian,* who realized the *beau ideal* of martial ferocity, was mimicked in the slouching gait which had been acquired by years of unoccupied perambulation in the Hall; limbs, habituated to yielding silk, were locked in buff; the *reveillé* superseded the shrill voice of the crier—the disquisitions of pleaders were "horribly stuffed with epithets of war;" the bayonet lay beside the pen, and the musket was collateral to the brief.

Yet, with all this innovation upon their ordinary habits, the Bar could not pass all at once into a total desuetude of their more natural tendencies, and exhibited a relapse into their professional predilections in the choice of their leader. The athletic nobleness of figure for which Mr. Magrath,† for in-

* The Hessians were troops from Germany, brought into Ireland with some Scotch fencible regiments, in 1798—probably because the Government doubted whether the regular troops, half of whom were Irish, would fight against their countrymen in the field. A story is told of one of the "rebels" who killed a couple of Hessians, and was putting the contents of their pockets into his own. A friend of his saw the conquest, and prayed hard to have one of the captures. "No," said the conqueror, "*go and kill a Hessian for yourself!*" The saying has passed into a proverb in Ireland.—M.

† Counsellor Magrath rejoiced in such longitudinal proportions, that he was called the mathematical definition, "Length without breadth." As he is several times mentioned in these sketches, and always with reference to his inches,

stance, is conspicuous, did not obtain their suffrages: a grenadier proportion of fame, and a physical pre-eminence of height, were not the merits which decided their preference; they chose Mr. Saurin for his intellectual stature; and in selecting a gentleman, in whom I am at a loss to discover one glance of the "*coup d'œil militaire*," and whose aspect is among the most unsoldierlike I have ever witnessed, they offered him an honorable testimony of the great esteem in which he was held by his profession. He was thus, in some degree, recognised as the head of the body to which he belonged.

His conduct, as chief of the lawyer's corps, was patriotic and discreet. He manifested none of those religious antipathies by which he has been since unhappily distinguished; he had no share, either in the infliction of, or the equivalent connivance at that system of inquisitorial excruciation, which, on whosesoever head the guilt ought to lie, did unquestionably exist.* His hands do not smell of blood; and though a series of unhappy incidents has since thrown him into the arms of the Orange faction, to which he has been rather driven by the rash rancor of his antagonists, than allured through the genuine tendencies of his nature, in that period of civil commotion he discountenanced the excesses of the party who now claim him as their own. With all his present Toryism, he appears to have been a Whig; and the republican tinge of his opinions was brought out in the great event which succeeded the Rebellion, and to which the government was aware that it would inevitably lead. If they did not kindle, they allowed the fire to rage on; and they thought, and perhaps with justice, that it would furnish a lurid light by which the rents and chasms in the ruinous and ill-constructed fabric of the Irish legislature would be more widely exposed. To repair such a crazy and rotten building, many think, was impossible. It was

it is probable that Sheil (who was of small stature) envied him not a little. It was to him that Tom Moore, who was quite a minikin, put the question, as he looked up at him, "Magrath, it is fine weather here below—how is it up there aloft with you?"—M.

* Mr. Saurin, during the rebellion, has been seen to strike a drummer of his corps for wearing an Orange cockade.

necessary that it should be thrown down*—but the name of country (and there is a charm even in a name) has been buried in the fall.

The Union was proposed, and Mr. Saurin threw himself into an indignant opposition to the measure, which he considered fatal to Ireland. He called the Bar together; and upon his motion, a resolution was passed by a great majority, protesting against the merging of the country in the Imperial amalgamation. He was elected a member of the Irish House of Commons, and his appearance in that profligate convention was hailed by Mr. Grattan, who set the highest value upon his accession to the national cause.

Of eloquence there was already a redundant supply. Genius abounded in the ranks of the patriots—they were ardent, devoted, and inspired. Mr. Saurin reinforced them with his more Spartan qualities. Grave and sincere, regarded as a great constitutional lawyer—the peculiar representative of his own profession—a true, but unimpassioned lover of his country, and as likely to consult her permanent interests as to cherish a romantic attachment to her dignity—he rose in the House of Commons, attended with a great concurrence of impressive circumstance. He addressed himself to great principles, and took his ground upon the broad foundations of legislative right, His more splendid allies rushed among the ranks of their adversaries and dealt their sweeping invective about them; while Saurin, in an iron and somewhat rusty armor, and wielding more massive and ponderous weapons, stood like a sturdy sentinel before the gates of the constitution. Simple and elementary positions were enforced by him with a strenuous conviction of their truth. He denied the right of the legislature to alienate its sacred trust. He insisted that it would amount to a forfeiture of that estate which was derived from, and held under the people in whom the reversion must perpetually remain; that they were bound to consult the will of the majority of the nation, and that the will of that majority was the foundation of all law.

* It must not be forgotten that, in most of these sketches, Mr. Sheil affected to write as an *English* observer of politics and men.—M.

Generous sentiments, uttered with honest fervency, are important constituents of eloquence; and Mr. Saurin acquired the fame of a distinguished speaker. His language was not flowing or abundant—there was no soaring in his thought, nor majesty in his elocution; but he was clear and manly: there was a plain vigor about him. Thought started through his diction; it wanted roundness and color, but it was muscular and strong. It was not "pinguitudine nitescens." If it were deficient in bloom and fullness, it had not a greasy and plethoric gloss; it derived advantages from the absence of decoration, for its nakedness became the simplicity of primitive truth.

Mr. Saurin obtained a well-merited popularity. His efforts were strenuous and unremitted; but what could they avail? The minister had an easy task to perform: there was, at first, a show of coyness in the prostitute venality of the majority of the House; it only required an increased ardor of solicitation, and a more fervent pressure of the "itching palm." No man understood the arts of parliamentary seduction better than Lord Castlereagh. He succeeded to the full extent of his undertaking, and raised himself to the highest point of ambition to which a subject can aspire.

But those who had listened to his blandishments, found, in the emptiness of title, and in the baseness of pecuniary reward, an inadequate compensation for the loss of personal consequence which they eventually sustained. In place of the reciprocal advantages which they might have imparted and received, by spending their fortunes in the metropolis of their own country, such among them as are now exported in the capacity of representatives from Ireland are lost in utter insignificance. Instead of occupying the magnificent mansions which are now falling into decay, they are domiciliated in second stories of the lanes and alleys in the vicinity of St. Stephen's. They may be seen every evening at Bellamy's*

* In the old House of Commons, which formerly had been a Chapel dedicated to St. Stephen, the refreshment-rooms were kept by Mr. Bellamy, whose family still cater to the requirements of "the inner man," in the refectory of the new and splendid Palace of Westminster, erected, at a cost of some two millions sterling on the banks of the Thames.—M.

digesting their solitary meal, until the "whipper in" has aroused them to the only purpose for which their existence is recognised; or in the House itself, verifying the prophetic description of Curran, by "sleeping in their collars under the manger of the British minister."

The case is still worse with the anomalous nobility of the Irish Peer.* There is a sorry mockery in the title, which is almost a badge, as it is a product, of his disgrace. He bears it as the snail does the painted shell elaborated from its slime. His family are scarcely admitted among the aristocracy, and, when admitted, it is only to be scorned. It requires the nicest exercise of subtle stratagem, and the suppression of every feeling of pride, on the part of an Irish lady, to effect her way into the great patrician *coteries*. The scene which Miss Edgeworth has so admirably described at the saloon of the opera-house, in which the Irish countess solicits the haughty recog nition of the English duchess, is of nightly recurrence. Even great talents are not exempted from this spirit of national depreciation. Mr. Grattan himself never enjoyed the full dignity which ought, in every country, to have been an *appanage* to his genius. As to Lord Clare, he died of a broken heart. The Duke of Bedford crushed the plebeian peer with a single tread.† What, then, must be the case with the inferior class of Irish senators; and how must they repine at the sui-

* By the Act of Union, it was arranged that the Irish Peers should be represented in the Imperial Parliament by twenty-eight, chosen from the whole body, to sit for life. But many of the Irish Peers also have seats in Parliament as possessors of English titles. Thus the Irish Marquis of Downshire has his seat in the Imperial Parliament by virtue of his English earldom of Hillsborough, and the Earl of Bessborough sits for his English barony. No Irish Peer can represent an Irish county or borough, but the restriction does not apply out of Ireland. Thus Viscount Palmerston, an Irish Peer, sits in the House of Commons for the English borough of Tiverton. — M.

† Lord Clare, the first Irishman who ever held the Great Seal of Ireland, was virtual ruler of that country for years. He exhibited his hauteur to the Viceroy, the Duke of Bedford, who — with all the pride of the Russell blood — could not believe, at first, that any man could so insult the representative of royalty. When assured that it was Lord Clare's wonted manner, the Duke turned his back on him, before the Privy Council, and let business proceed as if Lord Clare had never existed. — M.

cidal act with which, in their madness, they were tempted to annihilate their existence!

I have dwelt upon the results of the Union, as it affected individual importance, because Mr. Saurin appears to have been sensible of them, and to have acted upon that sense. He has never since that event set his foot upon the English shore. He was well aware that he should disappear in the modern Babylon;* and with the worldly sagacity by which he is characterized, when his country lost her national importance, he preferred to the lacqueying of the English aristocracy the enjoyment of such provincial influence as may be still obtained in Ireland. Mr. Plunket resigned the situation of Attorney-General in 1807. It was offered to Mr. Saurin, who accepted it.

This office is, perhaps, the most powerful in Ireland: it is attended with great patronage, emolument, and authority. The Attorney-General appoints the judges of the land, and nominates to those multitudinous places with which the government has succeeded in subduing the naturally democratic tendencies of the bar. Every measure in any way connected with the administration of justice originates with him. In England the Attorney-General is consulted upon the law. In Ireland he is almost the law itself: he not only approves, but he directs. The personal character of Mr. Saurin gave him an additional sway. He gained a great individual ascendency over the mind of the Lord Chancellor. In the Castle† Cabinet he was almost supreme; and his authority was the more readily submitted to, as it was exercised without being displayed. He was speedily furnished with much melancholy occasion to put his power into action.

The Catholic Board assumed a burlesque attitude of defiance; the press became every day more violent; the newspapers were tissues of libels, in the legal sense of the word,

* By a flattering, national self-delusion, London is called "Modern Babylon," and Edinburgh the "Modern Athens. —M.

† In Ireland, "the Castle" of Dublin is the seat of government, as the Palace of St. James is (or was) of England. It is the town-residence of the Lord-Lieutenant, where his Privy Council meet, where he holds his levees and drawing-rooms, where he gives his State-balls, and where the departmental officers of the Executive carry on the business of the state.—M.

for they were envenomed with the most deleterious truth. Prosecutions were instituted and conducted by Mr. Saurin: an ebullition of popular resentment was the result, and reciprocal animosity was engendered out of mutual recrimination. The orators were furious upon one hand, and Mr. Saurin became enraged upon the other. His real character was disclosed in the collision. He was abused, I admit, and vilified. The foulest accusations were emptied, from their aerial abodes, by pamphleteers, upon his head. The authors of the garret discharged their vituperations upon him. It was natural that he should get into bad odor; but wedded as he was to the public interests, he should have borne these aspersions of the popular anger with a more Socratic temper. Unhappily, however, he was infected by this shrewish spirit, and took to scolding. In his public speeches a weak virulence and spite were manifested, which, in such a man, was deeply to be deplored.

Much of the blame ought, perhaps, to attach to those who baited him into fury; and it is not greatly to be regretted, that many of them were gored and tossed in this ferocious contest. The original charges brought against him were unjust; but the vehemence with which they were retorted, as well as repelled, divested them, in some degree, of their calumnious quality, and exemplified their truth. Mr. Saurin should have recollected, that he had at one time given utterance to language nearly as intemperate himself, and had laid down the same principles with a view to a distinct application. He had harangued upon the will of the majority, and he forgot that it was constituted by the Papists. On a sudden he was converted, from a previous neutrality, into the most violent opponent of Roman Catholic Emancipation. I entertain little doubt that his hostility was fully as personal as it was constitutional. There appears to be a great inconsistency between his horror of the Union and of the Catholics. They are as seven to one in the immense population of Ireland; and when they are debased by political disqualification, it can only be justified upon the ground that it promotes the interests of the Empire.

But Mr. Saurin discarded the idea of making a sacrifice

of Ireland to Imperial considerations, when the benefits of the Union were pointed out. I fear, also, that he wants magnanimity, and that his antipathies are influenced in part by his domestic recollections. His ancestors were persecuted in France; but his gratitude to the country in which they found a refuge, should have suppressed any inclination to retaliate upon the religion of the majority of its people. I shall not expatiate upon the various incidents which distinguished this period of forensic turmoil. Suffice it to say, that Mr. Saurin obtained verdicts of condemnation. But his high character and his peace of mind were affected by his ignominious success. He grew into an object of national distaste. His own personal dispositions, which are naturally kind and good, were materially deteriorated. Every man at the bar with liberal opinions on the Catholic question, was regarded by him with dislike. A single popular sentiment was a disqualification for place.

But let me turn from the less favorable points of his character. This censure should be qualified by large commendation. His patronage was confined to his party, but it was honorably exercised. Those whom he advanced were able and honest men. The sources of justice were never vitiated by any unworthy preferences upon his part. Neither did he lavish emolument on his own family. In the list of pensioners the name of Saurin does not often bear attestation to his power. I should add to his other merits his unaffected modesty. He has always been easy, accessible, and simple. He had none of the "morgue aristocratique," nor the least touch of official superciliousness on his brow.

Mr. Saurin, as Attorney-General, may be said to have governed Ireland for fifteen years;* but, at the moment when he seemed to have taken the firmest stand upon the height of his authority, he was precipitated to the ground. The Grenvilles joined the minister. It was stipulated that Plunket should be restored to his former office. Mr. Saurin was offered the place of Chief-Justice of the King's Bench, which in a fit of splenetic vexation he had the folly to refuse. The new local

* From 1807 until January, 1822, when Mr. Plunket replaced him.—M.

government did not give him a moment for repentance, and he was thrown at once from the summit of his power. There was not a single intervening circumstance to break his precipitous descent, and he was stunned, if not shattered, in the fall. He might, however, have expected it; he had no political connections to sustain him. He is married, indeed, to a sister of the Marquis of Thomond; but that alliance was a feeble obstacle to the movement of a great party.

His official friends immolated him to exigency, but they would have sacrificed him to convenience. The only man in power, perhaps, who personally lamented his ill usage, was Lord Manners; and even his Lordship was aware, for six months before, of the intended change, and never disclosed it to him in their diurnal walks to the Hall of the Four Courts. This suppression Mr. Saurin afterward resented; but, upon a declaration from his friend that he was influenced by a regard for his feelings, they were reconciled. He did not choose to warn him, at the banquet, of the sword that he saw suspended over his head.

He is now [1823] plain Mr. Saurin again, and he bears this reverse with a great deal of apparent, and some real, fortitude. When he was first deprived of his office, I watched him in the Hall. The public eye was upon him; and the consciousness of general observation in calamity inflicts peculiar pain. The joyous alacrity of Plunket was less a matter of comment than the resigned demeanor of his fallen rival. Richard was as much gazed at as Bolingbroke.* It was said by most of those who saw him, that he looked as cheerful as ever. In fact, he looked more cheerful, and that appeared to me to give evidence of the constraint which he put upon himself. There was a forced hilarity about him — he wore an alertness and vivacity, which were not made for his temperament. His genuine smile is flexible and easy; but upon this occasion it lingered with a mechanical procrastination upon the lips, which showed that it did not take its origin at the heart.

* See Shakspere's *Richard II.*, Act 5, Scene 2, for the description of the contrast between the reception of the unfortunate and unpopular Richard, and that of his successful rival Bolingbroke. — M.

There was also too ready a proffer of the hand to his old friends, who gave him a warm but a silent squeeze.

I thought him a subject for study, and followed him into the Court of Chancery. He discharged his business with more than his accustomed diligence and skill;—but when his part was done, and he bent his head over a huge brief, the pages of which he seemed to turn without a consciousness of their contents, I have heard him heave at intervals a low sigh When he returned again to the Hall, I have observed him in a moment of professional leisure while he was busied with his own solitary thoughts, and I could perceive a gradual languor stealing over the melancholy mirth which he had been personating before. His figure, too, was bent and depressed, as he walked back to the Court of Chancery; and before he passed through the green curtains which divide it from the Hall, I have seen him pause for an instant and throw a look at the King's Bench. It was momentary, but too full of expression to be casual, and seemed to unite in its despondency a deep sense of the wrong which he had sustained from his friends, and the more painful injury which he had inflicted upon himself.

If Rembrandt were living in our times, he should paint a portrait of Saurin: his countenance and deportment would afford an appropriate subject to the shadowy pencil of that great artist. There should be no gradual melting of colors into each other; there should be no softness of touch, and no nice variety of hue; there should be no sky—no flowers—no drapery—no marble; but a grave and sober-minded man should stand upon the canvass, with the greater proportion of his figure in opacity and shadow, and with a strong line of light breaking through a monastic window upon his corrugated brow. His countenance is less serene than tranquil; it has much deliberate consideration, but little depth or wisdom; its whole expression is peculiarly quiet and subdued. His eye is black and wily, and glitters under the mass of a rugged and shaggy eyebrow. There is a certain sweetness in its glance, some what at variance with the general indications of character which are conveyed in his look. His forehead is thoughtful,

but neither bold nor lofty. It is furrowed by long study and recent care.

There is a want of intellectual elevation in his aspect, but he has a cautious shrewdness and a discriminating perspicacity. With much affability and good nature about the mouth, in the play of its minuter expression, a sedate and permanent vindictiveness may readily be found. His features are broad and deeply founded, but they are not blunt; without being destitute of proportion, they are not finished with delicacy or point. His dress is like his manners, perfectly plain and remarkable for its neat propriety. He is wholly free from vulgarity, and quite denuded of accomplishment. He is of the middle size, and his frame, like his mind, is compact and well knit together. There is an intimation of slowness and suspicion in his movements, and the spirit of caution seems to regulate his gait. He has nothing of the Catilinarian walk,* and it might be readily conjectured that he was not destined for a conspirator.

His whole demeanor bespeaks neither dignity nor meanness. There is no fraud about him; but there is a disguise of his emotions which borders upon guile. His passions are violent, and are rather covered than suppressed: they have little effect upon his exterior — the iron stove scarcely glows with the intensity of its internal fire. He looks altogether a worldly and sagacious man — sly, cunning, and considerate — not ungenerous, but by no means exalted — with some sentiment, and no sensibility: kind in his impulses, and warped by involuntary prejudice: gifted with the power of dissembling his own feelings, rather than of assuming the character of other men: more acute than comprehensive, and subtle than refined: a man of point and of detail: no adventurer either in conduct or speculation: a lover of usage, and an enemy to innovation: perfectly simple and unaffected: one who can bear adversity well, and prosperity still better: a little downcast in ill-fortune, and not at all supercilious in success: something of a republican

* The passage in which Sallust describes the peculiar walk of the great Conspirator runs thus: "Igitur color exsanguis, fœdi oculi, *citus modo, modo tardus incessus.*" — M.

by nature, but fashioned by circumstances into a tory: moral, but not pious: decent, but not devout: honorable, but not chivalrous: affectionate, but not tender: a man who could go far to serve a friend, and a good way to hurt a foe: and, take him for all in all, a useful and estimable member of society.

I have mentioned his French origin, and it is legibly expressed in his lineaments and hue. In other countries, one national physiognomy prevails through the mass of the people. In every district and in every class we meet with a single character of face. But in Ireland, the imperfect grafting of colonization is easily perceived in the great variety of countenance which is everywhere to be found: the notches are easily discerned upon the original stock.

The Dane of Kildare is known by his erect form, his sanded complexion, his blue and independent eye, and the fairness of his rich and flowing hair. The Spaniard in the west, shows among the dominions of Mr. Martin,* his swarthy features and his black Andalusian eye. A Presbyterian church in the north, exhibits a quadrangular breadth of jawbone, and a shrewd sagacity of look in its calculating and moral congregation, which the best Baillie in Glasgow would not disown. Upon the southern mountain and in the morass, the wild and haggard face of the aboriginal Irishman is thrust upon the traveller, through the aperture in his habitation of mud which pays the double debt of a chimney and a door. His red and strongly-curled hair, his angry and courageous eye, his short

* Richard Martin, described by Moore as one who

"rules
The houseless wilds of Connemara,"

was member of Parliament for many years, representing the county of Galway, in which he possessed very large landed estates. He succeeded in passing an act for the prevention and punishment of cruelty to animals, and was a humane but eccentric man. His son, Thomas Martin, succeeded him as owner of the vast Connemara estate—a domain once larger than the territory of many a reigning German Prince. On his death, his daughter, Mrs. Bell Martin, came into possession, but the estates were sold to satisfy greedy money-lenders, and as the amount realized was too small, she came to New York, to earn her living by literature. Her novel of "Julia Howard," reprinted here, was very clever. She had written other works in French. She died in New York, on November 7, 1850, worthy of a better fate than exile and poverty.—M.

and blunted features, thrown at hazard into his countenance and that fantastic compound of intrepidity and cunning, of daring and of treachery, of generosity and of falsehood, of fierceness and of humor, and of absurdity and genius, which is conveyed in his expression, is not inappropriately discovered in the midst of crags and bogs, and through the medium of smoke. When he descends into the city, this barbarian of art (for he has been made so by the landlord and the law—nature never intended him to be so), presents a singular contrast to the high forehead, the regular features, and pure complexion of the English settler.

To revert to Mr. Saurin (from whom I ought not, perhaps, to have deviated so far), there is still greater distinctness, as should be the case, from their proximity to their source, in the descendants from the French Protestants who obtained an asylum in Ireland. The Huguenot is stamped upon them;* I can read in their faces, not only the relics of their country, but of their religion. They are not only Frenchmen in color, but Calvinists in expression. They are serious, grave, and almost sombre, and have even a shade of fanaticism diffused over the worldliness by which they are practically characterized. Mr. Saurin is no fanatic; on the contrary, I believe that his only test of the true religion is the law of the land. He does not belong to the "saint party," nor is he known by the sanctimonious avidity by which that pious and rapacious body is distinguished at the Irish bar. Still there is a touch of John Calvin† upon him, and he looks the fac-simile of an old Protestant professor of logic whom I remember to have seen in one of the colleges at Nismes.

I have enlarged upon the figure and aspect of this eminent barrister, because they intimate much of his mind. In his capacity as an advocate in a court of equity, he deserves great

* The French Catholics gave the nick-name of Huguenots to their Protestant brothers, but the derivation of the word is uncertain. It was not used until the middle of the sixteenth century.—M.

† John Calvin was a Frenchman. Differing from Luther, on many points of doctrine and discipline, he established a schism less tolerant and more severe than simple Protestantism. Unable to convert Servetus, he calmly consigned him to the flames—"for the love of God!"—M.

encomium. He is not a great case-lawyer. He is not like Sergeant Lefroy,* an ambulatory index of discordant names; he is stored with knowledge: principle is not merely deposited in his memory, but inlaid and tesselated in his mind: it enters into his habitual thinking. No man is better versed in the art of putting facts: he brings with a peculiar felicity and skill the favorable parts of his client's case into prominence, and shows still greater acuteness in suppressing or glossing over whatever may be prejudicial to his interests. He invests the most hopeless, and I will even add, the most dishonest cause, with a most deceitful plausibility; and the total absence of all effort, and the ease and apparent sincerity of his manner, give him at times a superiority even to Plunket himself, who, by the energy into which he is hurried at moments by his more ardent and eloquent temperament, creates a suspicion that it must be a bad cause which requires so much display of power. In hearing the latter, you are perpetually thinking of him and his faculties; in hearing Saurin, you remember nothing but the cause—he disappears in the facts.

Saurin also shows singular tact in the management of the Court. Lord-Chancellor Manners is actually bewildered by Plunket: it is from his Lordship's premises that he argues against him: he entangles him in a net of sophistry wrought out of his own suggestion. This is not very agreeable to human vanity, and Chancellors are men. Saurin, on the other hand, accommodates himself to every view of the Court. He gently and insensibly conducts his Lordship to a conclusion—Plunket precipitates him into it at once. But Lord Manners struggles hard upon the brink, and often escapes from his grasp.

In this faculty of adaptation to the previous opinions and character of the judge whom he addresses, I consider Saurin as perhaps the most useful advocate in the Court of Chancery—at the same time, in reach of thought, variety of attribute, versatility of resource, and power of diction, he is far inferior to his distinguished successor in office. But Plunket is a sena-

* The subject of a subsequent sketch, and now [1854] Chief-Justice of Ireland.—M.

tor and a statesman, and Saurin is a lawyer—not a mere one, indeed; but the legal faculty is greatly predominant in his mind. His leisure has never been dedicated to the acquisition of scientific knowledge, nor has he sought a relaxation from his severer occupations in the softness of the politer arts. His earliest tastes and predilections were always in coincidence with his profession. Free from all literary addiction, he not only did not listen to, but never heard, the solicitations of the Muse. Men with the strongest passion for higher and more elegant enjoyments have frequently repressed that tendency, from a fear that it might lead them from the pursuit of more substantial objects.

It was not necessary that Mr. Saurin should stop his ears against the voice of the siren—he was born deaf to her enchantments. I believe that this was a sort of good fortune in his nature. Literary accomplishments are often of prejudice, and very seldom of any utility, at the bar. The profession itself may occasionally afford a respite from its more rigid avocations, and invite of its own accord to a temporary deviation from its more dreary pursuits. There are moments in which a familiarity with the great models of eloquence and of high thinking may be converted into use. But a lawyer like Mr. Saurin will think, and wisely perhaps, that the acquisition of the embellishing faculties is seldom attended with a sufficiently frequent opportunity for their display, to compensate for the dangers of the deviation which they require from the straightforward road to professional eminence, and will pursue his progress—like the American traveller, who, in journeying through his vast prairies, passes without regard the fertile landscapes which occasionally lie adjacent to his way, and never turns from his track for the sake of the rich fruits and the refreshing springs of those romantic recesses, which, however delicious they may appear, may bewilder him in a wilderness of sweets, and lead him for ever astray from the final object of his destination.

HENRY JOY.

Mr. Joy, the present Solicitor-General for Ireland [1823], and the anti-papistical associate in office of the chief-advocate of the Roman Catholic claims, Mr. Plunket, is the son of a literary man, who was the editor of a newspaper in Belfast.* To the violent spirit which characterized the democratic lucubrations of the father, I am inclined to attribute a mistake into which the public have fallen with respect to the juvenile propensities of the son. Mr. Joy is commonly considered to have been addicted to liberal principles in his early life, and has been reproached with having started a patriot. But whiggism is not a family disorder, nor have I been able to discover any grounds for thinking that Mr. Joy was at any time the professor of opinions at variance with his present political creed.

* Henry Joy, born in 1767, was called to the Irish bar in 1788. He was a good lawyer, as well as an able advocate. He had a very good-humored, insinuating way with witnesses as well as juries, and was happy at retort. In 1827, when Plunket was made Chief-Justice of the Common Pleas, he was succeeded as Attorney-General, by Joy. In 1831, on the retirement of Lord Guillamore (Standish O'Grady), Mr. Joy became Chief Baron of the Exchequer, and held that high office until his death, which took place, near Dublin, on June 5, 1838.—Chief Baron Joy was an impartial and humane administrator of the law. He was repeatedly pressed to enter Parliament, but always declined.—His name presented an obvious subject for Lord Norbury's wit. An attorney, named Hope, prayed his Lordship to wait a few moments for his leading Counsel, Mr. Joy, who was unavoidably detained and would presently attend. His Lordship's very small stock of patience was soon exhausted and he said, "We can wait no longer—

"'Although Hope told a flattering tale,
And said the Joy would soon return,'"

and directed the next case to be called on.—M.

Since he was called to the Bar, which was in the year 1788, I can not find a single deviation in his conduct from the path of obvious prudence, which his instinctive tendencies would naturally have led him to adopt, and to which his matured experience must have instructed him to adhere. It required little sagacity to perceive that by allying himself with the religious and aristocratic passions of the prosperous faction, he was much more likely to attain distinction, than by any chival rous dedication of his abilities to a more noble, but unrequiting cause.

Had he had the misfortune to inherit so sterile and unprofitable a patrimony as the love of Ireland, he might still, perhaps, have risen to eminence and honor. But his success would have been achieved in despite of his principles. By choosing a different course he has succeeded through them. Instead of the difficult and laborious path by which so few have won their way, and which is filled not only with obstacles but thorns, he selected the smoother road, the progress in which is as easy as it is sure—which is thronged by crowds, who, instead of impeding individual advancement, sustain and bear each other on—and which not only leads with more directness to a splendid elevation, but is bordered with many fertile and rich retreats, in which those who are either unable or unwilling to prosecute their journey to the more distant and shining objects to which it conducts at last, are certain of finding an adjacent place of secure and permanent repose. In this inviting path, the weak and the incapable may sit down in ease and luxury, even in the lowest gradations of ascent; while the more vigorous and aspiring receive an impulse from the very ground they tread, and are hurried rapidly along. Mr. Joy could not fail to see the advantages of this accelerating course, nor do I impute much blame to him for having yielded to its allurements. He has, perhaps, acted from that kind of artificial conviction, into which the mind of an honorable man may at last succeed in torturing itself. Conscience, like every other judge, may be misled, and there is no advocate so eloquent as self-interest before that high, but not infallible tribunal.

Whatever were his motives in choosing this judicious though

not very exalted course, Mr. Joy soon distinguished himself by his zeal in his vocation, and became prominent among the stanch Tories at the Bar. He displayed in its fullest force that sort of sophisticated loyalty, of which vehement Protestants are in the habit of making a boastful profession in Ireland, and carried the supererogatory sentiment into practice, even at the convivial meetings of the Bar. A lawyer, who has since risen to considerable distinction, and whose youth was encompassed by calamities, which it required a rare combination of talents and of fortitude to surmount, was selected by Mr. Joy for an early manifestation of his devotedness to the cause, which it required no very high spirit of prophecy to foresee would be ultimately canonized by success. It was upon the motion of Mr. Joy, that the barrister to whom I allude, was expelled, for his republican tendencies, from the Bar-mess of the Northeast Circuit. In recommending so very rigorous a measure, he gave proof of his earnestness and of his good taste. The expulsion of an associate, whom an almost daily intercourse ought to have invested with at least the semblances of friendship, afforded abundant evidence of the sincerity of the emotion with which he was influenced, while his discrimination was approved, by marking a man out for ruin, whose endowments were sufficiently conspicuous to direct the general attention, not only to the peculiar victim that suffered in the sacrifice, but to the priest who presided at the immolation.

This unequivocal exhibition of enthusiastic loyalty was followed by other instances of equally devoted and not more disinterested attachment to the government, and Mr. Joy gradually grew into the favor of those who are the distributors of honor and of emolument at the Bar. He did not, however, abuse the predilections of authority for any mean or inglorious purpose. He is, I believe, unsullied by any sordid passion; and whatever may be his faults, avarice is not among them. He has never been an occupant of any one of the paltry offices at the Bar, to the invention of which the genius of Irish Secretaries is unremittingly applied. Aiming at loftier objects, he preserved a character for independence, by abstaining from solicitation.

It would be tedious to trace his progress through the various stages of professional success which conduct to celebrity at last. A lawyer advances by movements almost imperceptible, from obscurity into note, and from note to fame; and would find it difficult to ascribe with certainty the consummation of his success to any direct or immediate cause. It is by a continued series of meritorious effort and of fortunate event, that eminence is to be attained at the Bar. I pass by the many years of labor in which Mr. Joy, in obedience to the destinies of his profession, must have expended the flower of his life, and lead him directly to the administration of Mr. Saurin. That gentleman, the Coryphæus of the Orange party, formed for Mr. Joy a strong political partiality. He found in Mr. Joy the cardinal virtue, which, in his opinion, is the hinge of all integrity and honor, and in the absence of which the highest genius and the deepest knowledge are wholly without avail. With Mr. Saurin, Orangeism in politics has all the efficacy of charity in religion, and in the person of Mr. Joy, he found many conspicuous qualities set-off by the full lustre of Protestantism. This community of sentiment engendered a virulent sympathy between them.

Mr. Joy was appointed one of the three Sergeants, who take precedence after the Attorney and Solicitor General,* and

* In Ireland there are only three Sergeants-at-Law, who are appointed by the Crown, and take precedence, after the Attorney and Solicitor General, over the rest of the bar. In England, any barrister of a certain standing may "assume the *coif*"—that is, wear a wig with a black patch on the crown—provided he pay the usual expenses, amounting to one hundred pounds sterling. He is then called "Mr. Sergeant," sits within the bar, with the Queen's Counsel, and takes precedence with them. There is this disadvantage: as a Sergeant-at-Law can not hold a brief under any one but a Queen's Counsel, or another Sergeant of seniority to himself, he is precluded, in point of fact, from being other than a *leader* in each case he appears in; and it sometimes happens that a barrister in good practice, whose ambition leads him to take the *coif*, soon finds himself briefless—as he can not act as junior, and the attorneys may not think so well of him as to employ him as a leader. In England, every lawyer, previous to taking his seat as a Judge, undergoes the formality and expense of being made a Sergeant-at-Law. When a barrister is of sufficient standing, it is usual to make him "one of Her Majesty's Counsel," which entitles him to sit within the bar, gives him precedence over the rest of the profession, and

enjoy a sort of customary right to promotion to the Bench. Even before they are raised to the judicial station, they occasionally act in lieu of any of the judges, who may happen to be prevented by illness from going the circuit. The malady of a judge, to such an extent of incapacity, is not, however, of very frequent occurrence. A deduction from his salary, to the amount of four hundred pounds, is inflicted as a sort of penalty, in every instance in which he declines attending the assizes, and the expedient has been found peculiarly sanative. It not unfrequently happens that one of the twelve sages,* who has

entitles him to employment in all cases, civil and criminal, between the Crown and the subject. Out of a bar consisting of about six hundred, in England, between forty and fifty are Queen's Counsel; so that the distinction, which is seldom conferred except for merit, is an important one, as it virtually bestows professional rank on the recipient. A Queen's Counsel may be employed against the Crown, in the courts of law, on paying a fee of ten guineas, and obtaining permission, which is rarely refused, from the Attorney-General. But the Crown has a prior right to his services, if it require them. What is called "a patent of precedency" is sometimes given to Sergeants-at-Law, which places them, according to its date, in possession of all the privileges enjoyed by Queen's Counsel. Mr. Sergeant Wilkins, the ablest advocate now at the English bar, has such a patent. Mr. O'Connell, who was for many years at the head of his profession in Ireland, never was made Counsel to the Crown, owing to his politics being hostile to those of the Lord-Chancellor (Manners), who had the disposal of such honors. Eventually, he received a patent of precedency. In the Ecclesiastical Courts, no barristers are allowed to plead unless they have taken the degree of Doctor of Civil Law, at one of the Universities. In England, politics are seldom regarded now in the disposal of *silk-gowns*. This may require explanation: a Queen's Counsel wears a *silken* and an ordinary barrister a *stuff* gown. The former, on solemn occasions, hides his head in a full-bottomed wig, made of horsehair, and whitened with flour or powdered starch: the latter wears a plain peruke, of the same quality, with two small tails behind. Hence the saying, "The wisdom's in the wig!" There are neither Queen's Counsel, nor Sergeants-at-Law, nor patents of precedency, at the Scottish bar; but they get on very well without them.—M.

* In Ireland, besides two equity Judges (Lord Chancellor and Master of the Rolls), there are twelve principal Judges, who dispose of criminal and *nisi prius* cases. In Scotland, there are thirteen Judges, of whom, seven are Lords of the Justiciary or chief criminal Court. In England, there are seven equity, and fifteen principal Judges for criminal cases. In England and Ireland, there are also Judges of the Prerogative and Ecclesiastical Courts. There also are county and other local Judges in every county of the United Kingdom, besides Commissioners of Bankruptcy and Insolvency. The largest salary is the Lord

lain almost dead during the term, at the sound of the circuit-trumpet, starts, as it were into a judicial resurrection, and, preceded by the gorgeous procession of bum-bailiffs, bears his cadaverous attestation through the land, to the miraculous agency of the King's commission.

However, it does upon occasion happen that this restorative, powerful as it is, loses its preternatural operation, and one of the Sergeants is called upon to take the place of any of the ermined dignitaries of the Bench, who does not require the certificate of a physician to satisfy the public of the reality of his venerable ailments. This proximity to the Bench gives a Sergeant considerable weight. In raising Mr. Joy to an office which affords so many honorable anticipations, Mr. Saurin must have been sensible that he added to his personal influence, by the elevation of so unqualified an adherent to the party of which he was the head. Mr. Joy had, besides, a high individual rank. Before his promotion his business was considerable, and it afterward rapidly increased. It was princi-

Chancellor's — ten thousand pounds sterling, a year, in England. The average salaries of the other principal Judges are about five thousand pounds sterling a year. The County Court Judges receive about one thousand pounds sterling per annum in England and Ireland, and about eight hundred pounds sterling in Scotland. All the appointments are for life. No Judge is removable by the Crown (except the Lord Chancellor, who retires with the Ministry, of whom he is one), but his removal can take place on an address from both Houses of Parliament, after gross misconduct is proven before them. Every Judge, on retiring, after fifteen years' service, or ill-health, has a life-pension of two thirds of his salary, but the Lord Chancellor, however brief his tenure of office, has a pension of five thousand pounds sterling a year, as, having once quitted the Bar, for the Bench, he can not resume his practice in the Courts of Law. But the ex-Chancellors, all of whom are peers, sit in the House of Lords, every Session, hearing appeals from the different law-Courts throughout the whole Empire (Colonies included) and thus render great service, fully the value of their pensions, to the public. The House of Lords is the highest court of judicature in the British Empire, and "the Law Lords," as they are called, chiefly give the decisions — the lay-lords, who are not lawyers, seldom interfering. For the last eighteen years, Lord Brougham, in particular, has devoted his time, energies, and vast knowledge, to the adjudication of Appeals before the House of Lords. It may be remarked, as a curious anomaly, that the Lord Chancellor and any other Judge, whose decisions may be appealed against (if a peer, such as Lord Chief-Justice Campbell, for instance), may hear and vote on such appeals — literally on their own judgments! — M.

pally augmented in Chancery, where pre-audience is of the utmost moment. Lord Manners is disposed to allow too deep a permanence to the earliest impression, and whoever first addresses him has the odds in his favor. The enjoyment of priority swelled the bag of Mr. Joy, which was soon distended into an equality with that of Mr. Bushe.

That great advocate found in Mr. Joy a dangerous competitor. The latter was generally supposed to be more profoundly read, and the abstract principles of equity were traced by sagacious solicitors in the folds and furrows of his brow. The eloquence of Bushe was little appreciated by men who thought, that because they had been delighted they ought not to have been convinced. Joy had a more logical aspect in the eyes of those who conceive that genius affords *primâ facie* evidence against knowledge, and grew into a gradual preference at the Chancery bar. It was no light recommendation to him that he was the *protége* of Saurin, who could not bring himself to forgive the liberalism of his colleague, and was not unwilling to assist the prosperous competition of his more Protestant *élève*. His strenuous protection gave strong reasons to Bushe to tremble at Joy's pretensions to the highest seat upon the Bench. Bushe had himself declined the office of a puisne judge,* in the just expectation of attaining to that, which he at present occupies in a manner so useful to the country and so creditable to himself. But he was doomed to the endurance of a long interval of suspense before his present fortunate, and I may even call it accidental, elevation. He had already been sufficiently annoyed by the perverse longevity of Lord Norbury,† and the no less vexatious hesitations of Lord Downes,‡ who tortured him for years with the

* In England and Ireland, the Chief Justices who preside over the Courts of Queen's Bench, Common Pleas, and Exchequer, are familiarly called *chiefs*. The judges under them are called *puisne* (pronounced puny) from a French adjective signifying younger and inferior. — M.

† Lord Norbury (the subject of a subsequent sketch), who was Chief-Justice of the Common Pleas in Ireland, was seventy-eight years old in 1825 when this was written, and had then been twenty-three years on the Bench. — M.

‡ William Downes, called to the Irish bar in 1766, was made a Judge in 1792. During Emmett's insurrection in 1803, Lord Kilwarden was murdered by the

judicial coquetry of affected resignation. But the appearance of another candidate for the object of his protracted aspirations, had well nigh broken his spirit, and reduced him to despair.

It was at one time quite notorious, that if a vacancy had occurred in the Chief-Justiceship of the King's Bench, Saurin would have exercised his influence in behalf of his favorite and it was almost equally certain that his influence would have prevailed. In the general notion, Joy was soon to preside in the room of Downes, and his own demeanor tended not a little to confirm it. The auspices of success were assembled in his aspect, as conspicuously as the omens of disaster were collected in the bearing of Mr. Bushe. The latter exhibited all the most painful symptoms of the malady of procrastinated hope. The natural buoyancy of his spirit sunk under the oppressive and accumulated solicitude that weighed upon him. Conscious of the power of our emotions, and of the readiness with which they break into external results, he was ever on his guard against them. He well knew how speedily misfortune is detected by the vulgar and heartless crowd we call the world, and made every effort to rescue himself from their ignominious commiseration. To escape from a sentiment which is so closely connected with contempt, he wrought himself at moments into a wild and feverish hilarity; but the care that consumes the heart manifested itself, in spite of all his efforts to conceal it. His bursts of high-wrought joyousness were speedily followed by the depression which usually succeeds to an unnatural ine-

mob, who mistook him for Lord Carleton, the Judge who presided at the trial and condemnation of Henry and John Sheares, in 1798. Downes was appointed to succeed Lord Kilwarden, as Chief Justice of the King's Bench. He was raised to the peerage, as Baron Downes (with remainder, on default of lawful male issue, to his cousin, the gallant Sir Ulysses de Burgh, the present peer), on his relinquishing the ermine in March, 1822. He died, at a very advanced age, in March, 1825. Lord Downes was Vice-Chancellor of the University of Dublin. He was a large, unwieldy man, and Curran described him as "a human quagmire,"—on the bench, he was tremulous as if he were composed of calves'-feet jelly. He was at once solemn and ponderous. He had never been married, and his rigid moral conduct caused him to be designated the "virgin judge" Withal, he was patient, a good listener, a pains-taking man, and had a competent share of legal knowledge.—M.

briation of the mind; his eyes used to be fixed in a heavy and abstracted glare; his face was suffused with a murky and unwholesome red — melancholy seemed to "bake his blood." He was vacant when disengaged, and impatient when occupied, and every external circumstance about him attested the workings of solicitude that were going on within. It was truly distressing to see this eloquent, high-minded, and generous man, dying of the ague of expectation, and alternately shivering with wretched disappointment, and inflamed with miserable hope.

Joy, on the other hand, displayed all the characteristics of prosperity, and would have been set down by the most casual observer as a peculiarly successful man. An air of good fortune was spread around him: it breathed from his face, and was diffused over all that he said and did. His eyes twinkled with the pride of authority. His brow assumed by anticipation the solemnity of the judicial cast; he seemed to rehearse the part of Chief Justice, and to be already half seated on the highest place upon the Bench. But suddenly it was plucked from beneath him. Lord Wellesley arrived* — Saurin was precipitated from his office. In a paroxysm of distempered magnanimity he disdained to accept the first judicial station; and Bushe, to his own astonishment, grasped in permanence and security that object of half his life, which had appeared so long to fly from his pursuit, and, just before the instant of its attainment, seemed, like a phantasm, to have receded from his reach for ever. Bushe is now Chief-Justice of the King's Bench [1823]; and that he may long continue to preside

* As Lord-Lieutenant of Ireland. After the visit of George IV., when the Catholics showed a superabundance of "loyalty," it was resolved to favor them with a more liberal ruler than the late Earl Talbot, who was a decided partisan of "Protestant Ascendency in Church and State." The Marquis Wellesley was sent over — partly because he was liberal and friendly to the Catholic claims, and partly because he was poor, and the twenty thousand pounds sterling a year salary was an object to him. At the same time, Mr. Saurin, the virtual and intolerant ruler of the country, was dismissed, to be succeeded by Plunket, the eloquent advocate of Emancipation. — Lord Wellesley in Ireland forms the subject of a lively sketch, in this volume, entitled "The Dublin Tabinet Ball." — M.

there, is the wish of every man by whom indiscriminate urbanity to the bar, unremitting attention to the duties of his office, and a perfect competence to their discharge — the purest impartiality and a most noble intellect — are held in value.

Notwithstanding that the Bench was withdrawn from Mr. Joy, while he was almost in the attitude of seating himself upon it, he did not fall to the ground. Bushe's promotion left a vacancy in the office of Solicitor-General, and it was tendered to Mr. Joy. This was considered a little singular, as his opinions were well known to be exactly opposite to those of the new Attorney-General, Mr. Plunket. That circumstance, however, so far from being a ground of objection, was, I am inclined to think, a principal motive for submitting the vacant place to his acceptance. It had been resolved to compound all parties together. The more repulsive the ingredients, the better fitted they were for the somewhat empirical process of conciliation, with which Lord Wellesley had undertaken to mix them up together. The government being itself an anomaly — a thing "of shreds and patches" — it was only consistent that the legal department should be equally heterogeneous. To this sagacious project, the conjunction of two persons who differ so widely from each other as Mr. Plunket and Mr. Joy, is to be attributed. The latter was blamed by many of his friends for the promptitude with which he allied himself to the new administration, for he did not affect the coyness which is usually illustrated by a proverbial reference to clerical ambition. He was well aware that if he indulged in the mockery of a refusal, amid the rapid fluctuations of an undecided government, he might endanger the ultimate possession of so valuable an office. He did not put on any virgin reluctances, nor seem "fearful of his wishes," but embraced the fair opportunity with a genuine and unaffected ardor.

Mr. Joy is justly accounted one of the ablest men at the Irish Bar. In the sense in which eloquence, and especially in Ireland, is generally understood, I do not think that it belongs to him in a very remarkable degree. At times his manner is very strenuous, but energy is by no means the characteristic of his

speaking. I have seen him, upon occasion, appeal to juries with considerable force, and manifest that honest indignation in the reprobation of meanness and of depravity, which is always sure to excite an exalted sentiment in the minds of men. The sincere enforcement of good principle is among the noblest sources of genuine oratory; and he that awakens a more generous love of virtue and lifts us beyond the ordinary sphere of our moral sensibilities, produces the true results of eloquence. This Mr. Joy has not unfrequently accomplished, but his habitual cast of expression and of thought is too much subdued and kept under the vigilant control of a timid and suspicious taste, to be attended with any very signal and shining effects. He deals little in that species of illustration which indicates a daring and adventurous mind; that seeks to deliver its strong, though not always matured, conceptions in bold and lofty phrase. Its products may be frequently imperfect, but a single noble thought that springs full formed from the imagination, compensates for all its abortive offspring. Mr. Joy does not appear to think so, and studiously abstains from the indulgence of that propensity to figurative decoration, which in Ireland is carried to some excess. Nature, I suspect, has been a little niggard in the endowment of his fancy; and if she has not given him wings for a sustained and lofty flight, he is wise in not using any waxen pinions. I have never detected any exaggeration in his speeches, either in notion or in phrase. His language is precise and pure, but so simple as scarcely to deviate from the plainness of ordinary discourse.

It was observed of Lysias that he seldom employed a word which was not in the most common use, but that his language was so measured as to render his style exceedingly melodious and sweet. Mr. Joy very rarely has recourse to an expression which is not perfectly familiar. But he combines the most trivial forms of phrase with so much art together, as to give them a peculiarly rhythmical construction. Upon occasion, however, he throws into a speech some ornamental allusion to his own favorite pursuits. He takes a flower or two from his *hortus siccus*, and flings it carelessly out. But his images are derived from the museum and the cabinet, and not from the

mountain and the field. He is strongly addicted to the study of the more graceful sciences, and versed in shrubs, and birds, and butterflies.

In this respect he stands an honorable exception to most of the eminent members of the Bar, with whom all scientific and literary acquirement is held in a kind of disrepute. Mr. Joy has not neglected those sources of permanent enjoyment, which continue to administer their innocent gratifications, when almost every other is dried up. He has employed his solitary leisure (for he is an old bachelor, and appears to be an inveterate Mr. Oldbuck) in the cultivation of elegant, although, in some instances, fantastic tastes. He is devoted to the loves of the plants, and spends in a well-assorted museum of curiosities many an hour of dalliance with an insect or a shell. It is not unnatural that his mind should be impregnated with his intellectual recreations; and whenever he ventures upon a metaphor, it may readily be traced to some association with his scientific pursuits.

With this rare exception, Mr. Joy may be accounted an unadorned speaker. His chief merit consists in his talent for elucidation and for sneering. He is, indeed, so sensible of his genius for mockery, that he puts it into use wherever the least opportunity is afforded for its display. When it is his object to cover a man with disgrace, he lavishes encomium with a tone and a look that render his envenomed praises more deadly than the fiercest invective. He deals in incessant irony, and sets off his virulent panegyric with a smile of such baleful derision as to furnish a model to a painter for Goëthe's Metempsyphiles.* In cross-examination he employs this formidable faculty with singular effect.

Here he shows high excellence. He contemplates the witness with the suppressed delight of an inquisitor, who calmly surveys his victim before he has him on the wheel. He does not drag him to the torture with a ferocious precipitation, and throw him at once into his torments, but with a slow and blandishing suavity tempts and allures him on, and invites him to the point at which he knows that the means of infliction lie

* Mephistophiles? —M.

in wait. He offers him a soft and downy bed in which the rack is concealed, and when he is laid upon it, even then he does not put out all his resources of agony at once. He affects to caress the victim whom he torments, and it is only after he has brought the whole machinery of torture into action, that his purpose is perfectly revealed; and even then, and when he is in the fullest triumph of excruciation, he retains his seeming and systematic gentleness; he affects to wonder at the pain which he applies, and while he is pouring molten lead into the wound, pretends to think it balm.

The habitual irony which Mr. Joy is accustomed to put into such efficient practice, has given an expression to his face which is peculiarly sardonic. Whatever mutations his countenance undergoes, are but varied modifications of a sneer. It exhibits in every aspect a phasis of disdain. Plunket's face sins a little in this regard, but its expression is less contemptuous than harsh. There is in it more of the acidity of ill humor than of the bitterness of scorn. His pride appears to result rather from the sense of his own endowments than from any depreciating reference to those of other men. But the mockery of Mr. Joy is connected with all the odium of comparison: —

> " Et les deux bras croisés, du haut de son esprit,
> Il écoute en pitié tout ce que chacun dit."

The features upon which this perpetual derision is inlaid, are of a peculiar cast; — they are rough-hewn and unclassical, and dispersed over a square and rectangular visage, without symmetry or arrangement. His mouth is cut broadly, and directly from one jaw to the other, and has neither richness nor curve. There are in his cheeks two deep cavities, which in his younger days might have possibly passed for dimples, hollowed out in the midst of yellow flesh. Here it is that Ridicule seems to have chosen her perpetual residence, for I do not remember to have seen her give way to any more kindly or gentle sentiment. His nose is broad at the root; its nostrils are distended, and it terminates in an ascending point: but it is too short for profile, and lies in a side view almost concealed in the folds of parchment by which it is encompassed.

The eyes are dark, bright, and intellectual, but the lids are shrivelled and pursed up in such a manner, and seemingly by an act of will, as to leave but a small space between their contracted rims for the gleams of vision that are permitted to escape. They seem to insinuate that it is not worth their while to be open, in order to survey the insignificant object on which they may chance to light. The forehead is thoughtful and high, but from the posture of the head, which is thrown back and generally aside, it appropriately surmounts this singular assemblage of features, and lends an important contribution to the sardonic effect of the whole.

His deportment is in keeping with his physiognomy. If the reader will suggest to his imagination the figure of a Mandarin, receiving Lord Amherst* at the palace at Pekin, and with

* The British Government, always anxious to establish intimate commercial and political relations with China, despatched Lord Macartney, at the head of a special Embassy, in 1792. He and his suite reached China the following year, were received there, with all courtesy as "tribute-bearers," and were promised an audience of the Emperor, provided they would perform the usual prostrations of the person made in the presence of his Majesty by his own subjects. This was declined, but Lord Macartney finally offered to perform the Kou-to (as it is called) if some high officer of state would previously do like homage before a portrait of George III. Lord Macartney and Sir George Staunton actually had the promised audience, each kneeling on one knee as they presented the Emperor with a magnificent gold box, richly adorned with jewels, which contained the King of England's letter, which, with other presents, was well received, and the return of the embassy requested. In 1816, Lord Amherst headed a second embassy, and strongly declined making the required nine prostrations to the Emperor, declaring he would pay him the same homage as he yielded to his own sovereign, and no more—unless a Tartar mandarin of rank would perform the Ko-tou before the portrait of the English ruler. Finally, on the Emperor's declaration that Lord Macartney had Ko-toued on the former occasion, Lord Amherst agreed to do the same—but the Embassy was literally hurried out of the country, to their ships on the coast, before this could be done. A reply to the Royal letter from England pompously intimated that it would not again be necessary to send "a tribute-bearer" from such a distance. The two embassies cost about three hundred and fifty thousand pounds sterling. Napoleon (who was visited at St Helena by Lord Amherst, on his return from China), said he should have complied with the customs of the place, or not have been sent at all, for that what the chief men of a nation practise toward their chief, could not degrade strangers to practise.—M.

contemptuous courtesy proposing to his lordship the ceremony of the Ko-tou, he will form a pretty accurate notion of the bearing, the manners, and the hue of Mr. Joy, his Majesty's Solicitor-General for Ireland. He is extremely polite, but his politeness is as Chinese as his look, and appears to be dictated rather by a sense of what he owes to himself than by any deference to the person who has the misfortune to be its object.

And yet with all this assumption of dignity, Mr. Joy is not precisely dignified. He is in a perpetual effort to sustain his consequence, and arms himself against the least invasion upon his title to respect. Of its legitimacy, however, he does not appear to be completely satisfied. He seems a spy upon his own importance, and keeps watch over the sacred treasure with a most earnest and unremitting vigilance. Accordingly, he is for ever busy with himself. There is nothing abstract and meditative in his aspect, nor does his mind ever wander beyond the immediate localities that surround him. There is "no speculation in his eye;" an intense consciousness pervades all that he says and does. I never yet saw him lost in revery.

When disengaged from his professional occupations, he stands in the Hall with the same collected manner which he bore in the discharge of his duties to his client, and with his thoughts fastened to the spot. While others are pacing with rapidity along the flags which have worn out so many hopes, Joy remains in stationary stateliness, peering with a sidelong look at the peristrephic panorama that revolves around him. The whole, however, of what is going on is referred to his own individuality; self is the axis of the little world about him, and while he appears scarcely conscious of the presence of a single person in all the crowd by which he is encompassed, he is in reality noting down the slightest glance that may be connected with himself.

There is something so artificial in the demeanor of Mr. Joy, and especially in the authoritativeness which he assumes with the official silk in which he attires his person, that his external appearance gives but little indication of his character. His

dispositions are much more commendable than a disciple of Lavater would be inclined to surmise. I suspect that his *hauteur* is worn from a conviction that the vulgar are most inclined to reverence the man by whom they are most strenuously despised. Upon a view of Mr. Joy, it would be imagined that he would not prove either a very humane or patient judge;* but it is quite otherwise, and those who have had an opportunity of observing him in a judicial capacity upon circuit, concur in the desire that he should be permanently placed in a situation for which he has already displayed in its transitory occupation so many conspicuous qualities.

* Chief-Baron Joy was a good judge; — sound in his law, impartial in his judgments, and courteous in his demeanor. — M.

CALAMITIES OF THE BAR.

Not very long after I had been called to the bar, I one day chanced to observe a person standing beside a pillar in the Hall of the Four Courts, the peculiar wretchedness of whose aspect attracted my notice. I was upon my way to the subterranean chamber where the wigs and gowns of lawyers are kept, and was revolving at the moment the dignity and importance of the station to which I had been raised by my enrolment among the members of the Irish bar. I was interrupted in this interesting meditation by the miserable object upon which my eyes had happened to rest; and, without being a *dilettante* in affliction, I could not help pausing to consider the remarkable specimen of wretchedness that stood before me.

Had the unfortunate man been utterly naked, his condition would not have appeared so pitiable. His raiment served to set his destitution off. A coat, which had once been black, but which appeared to have been steeped in a compound of all rusty hues, hung in rags about him. It was closely pinned at his throat, to conceal the absence of a neckcloth. He was without a vest. A shirt of tattered yellow, which from a time beyond memory had adhered to his withered body, appeared through numerous apertures in his upper garment, and jutted out round that portion of his person where a garb without a name is usually attached. The latter part of his attire, which was conspicuous for a prismatic diversity of color, was fastened with a piece of twine to the extreme button of his upper habiliment, and very incompletely supplied the purpose for which the progenitors of mankind, after their first initiation into knowledge, employed a vegetable veil. Through the inferior regions of

this imperfect integument, there depended a shred or two of that inner garment, which had been long sacred to nastiness, and which the fingers of the laundress never had profaned. His stockings were compounded of ragged worsted and accumulated mire. They covered a pair of fleshless bones, but did not extend to the feet, the squalid nakedness of which was visible through the shoes that hung soaked with wet about them.

He was dripping with rain, and shivering with cold. His figure was shrunken and diminutive. A few gray locks were wildly scattered upon a small and irregularly-shaped head. Despair and famine sat upon his face, which was of the strong Celtic mould, with its features thrown in disorder, and destitute of all symmetry or proportion, but deriving from the passions, by which they were distorted, an expression of ferocious haggardness. His beard was like that which grows upon the dead. The flesh was of a cadaverous complexion. His gray eyes, although laden with rheum, caught a savageness from the eyelids, which were bordered with a jagged rim of diseased and bloody red. A hideous mouth was lined with a row of shattered ebony, and from the instinct of long hunger had acquired an habitual gape for food. The wretched man was speaking vehemently and incoherently to himself. It was a sort of insane jabbering—a mad soliloquy, in which "my Lord" was frequently repeated.

I turned away with a mingled sentiment of disgust and horror, and, endeavoring to release my recollection from the painful image which so frightful an object had left behind, I proceeded to invest myself in my professional trappings: tied a band with precision about my neck; complained, as is the wont with the junior bar, that my wig had not been duly besprinkled with powder, and that its curls were not developed with sufficient amplitude; set it rectilinearly upon my head; and, after casting a look into the glass, and marking the judicial organ in a certain prominence upon my brow, I readjusted the folds of my gown, and reascended the Hall of the Four Courts in a pleasurable state of unqualified contentedness with myself.

I directed my steps to the Court of Chancery, and, having

no better occupation, I determined to follow the example of certain sagacious aspirants to the office of Commissioner of Bankrupts, and to dedicate the day to an experiment in nodding, which I had seen put into practice with effect. There are a set of juvenile gentlemen who have taken for their motto the words of a Scotch ballad, which, upon a recent motion for an injunction, Lord Eldon* affected not to understand, but which, if he had looked for a moment upon the benches of youthful counsellors before him, while in the act of delivering a judicial aphorism, he would have found interpreted in one of the senses of which they are susceptible, and have discovered a meaning in "We're all a-nodding," of obvious application to the bar. Confident in the flexibility of my neck, and a certain plastic facility of expression, I imagined that I was not without some talent for assentation; and accordingly seated myself in such a place that the eye of my Lord Manners, in seeking refuge from the inquisitorial physiognomy of Mr. Plunket, would probably rest upon me.

The Court began to fill. The young aristocracy of the bar, the sons of Judges, and fifth cousins of members of Parliament, and the whole rising generation of the Kildare-street Club, gradually dropped in. Next appeared, at the inner bar, the more eminent practitioners tottering under their huge bags, upon which many a briefless senior threw a mournful and repining glance. First came Mr. Pennefather,† with his calm

* Lord-Chancellor Eldon, although born close to the Scottish border, affected not to understand the Scotch dialect and pronunciation. He was once hearing appeals, in the House of Lords, and Mr. Clerk, an eminent Edinburgh lawyer (afterward a Judge, and called Lord Eldin), having said, in his broadest accent, "In plain English, my Lords," was interrupted, half-seriously, by Lord Eldon, with—"In plain Scotch, I suppose you mean?"—"Nae matter," rejoined Clerk, "in plain common sense, my Lord—and that's the same in all languages—ye'll ken if you understand it."—M.

† There were two Irish barristers named Pennefather. Edward, the junior, called to the bar in 1796, was inferior to none as a lawyer and an advocate. He had immense practice; and though compelled, by ill-health, occasionally to retire from labor, attorneys would flock to him with briefs the moment he returned. In this respect he was as fortunate as the late Sir William Follett, of the English bar, and both negatived the commonly-received belief that "when a lawyer leaves his business, his business leaves him." Edward Pennefather

and unruffled forehead, his flushed cheek, and his subtilizing and somewhat over-anxious eye. He was succeeded by Mr. Sergeant Lefroy, who after casting a smile of pious recognition upon a brace of neophytes behind, rolled out a ponderous brief, and reluctantly betook himself to the occupations of this sublunary world. Next came Mr. Blackburne,* with his smug features, but beaming and wily eye; Mr. Crampton,† with an air of elaborated frankness; Mr. Warren,‡ with an expression of atrabilious honesty; Mr. Saurin, looking as if he had never been Attorney-General; and Mr. Plunket, as if he never could cease to be so. Lastly appeared my Lord Manners, with that strong affinity to the Stuart cast of face, and that fine urbanity of manner, which, united with a sallow face and a meagre figure, makes him seem like the phantom of Charles II.

The Court was crowded, the business of the day was called on; Mr. Prendergast,‖ with that depth of registerial intonation which belongs to him, had called on the first cause, when suddenly a cry, or rather an Irish howl, of "My Lord, my Lord," rose from the remote seats of the Court, and made the whole assembly look back. A barrister in a wig and gown was seen clambering from bench to bench, and upsetting all opposition, rolling over some and knocking down others, and uttering in a vehement and repeated ejaculation, "My Lord, my Lord," as he advanced, or rather tumbled over every impediment. At

was offered the office of Lord-Chancellor of Ireland in 1841, when Sugden was in doubt about accepting it, and became Solicitor-General only on a promise that he should have the next Chief-Justiceship vacancy. That was of the Queen's Bench, in which capacity he presided at the O'Connell State-Trials in 1843–'4. He was then seventy years of age, and did not long survive. — Richard Pennefather, called to the bar in 1795, is now (1854) one of the *puisne* Barons of the Exchequer in Ireland. — M.

* Late Lord-Chancellor of Ireland, in 1852, under the Derby-D'Israeli Ministry, and the subject of a later sketch. — M.

† Now (1854) one of the Judges of the Court of Queen's Bench in Ireland. — M.

‡ Mr. Warren, without any remarkable brilliancy or depth, has obtained high credit and large practice at the Irish bar. He was made a Sergeant-at-Law, and pleaded for the Crown, at the State-Trials of 1843–'4. — M.

‖ Registrar of the Irish Court of Chancery under Lord Manners. He has long since passed away. — M.

length he reached the lower bench, where he remained breathless for a moment, overcome by the exertion which he had made to gain that prominent station in the court. The first sensation was one of astonishment; this was succeeded by reiterated laughter, which even the strictness of Chancery etiquette could not restrain. I could not for a moment believe the assurance of my senses, until, looking at him again and again, I became satisfied that this strange barrister (for a barrister it was) was no other than the miserable man whom I had observed in the Hall, and of whom I have given a faint and imperfect picture.

After the roar of ridicule had subsided, the unfortunate gentleman received an intimation from Lord Manners that he should be heard—when he addressed the court in a speech, of the style of delivery of which it is impossible to convey to an English reader any adequate notion, but which ran to the following effect: "It is now, may it please your honorable Lordship, more than forty years, since, with a mournful step and a heavy heart, I followed the remains of your Lordship's illustrious relative, the Duke of Rutland,* to the grave." The

* Charles Manners, fourth Duke of Rutland, born in 1754, was appointed Lord-Lieutenant of Ireland in 1784, and died, while in office, in October, 1787, at the early age of thirty-three. He was cousin (three removed) to Lord-Chancellor Manners. He was a *bon-vivant*, and a man of pleasure. In the former capacity he was entertained by the Mayor of Cork, and, happening to praise some wine which was making the circuit of the board, was rather astounded at the Mayor's cool reply: "Well, my Lord Duke, it *is* good claret, but nothing to be compared with a better quality in my cellar!" This Viceroy it was who, in a convivial moment, "when the wine was in," insisted on knighting the landlord of the country inn at which he happened to be stopping. The next morning, he endeavored to pass it off as a joke, and, giving the landlord a handful of guineas, said, "Pat, you must not mind what passed last night; t was all a joke." Carefully pocketing the gold, the beknighted landlord made his best bow, and said, "As to that, your Excellency, 'tis all one to me—but *what will Lady O'Shaughnessy say?*" To his dying day, therefore, he continued to be called Sir Patrick O'Shaughnessy. The Duke of Rutland was in the habit of visiting certain houses and persons of not *quite* the purest reputation. In his time, there was a handsome profligate, named Peg Plunket, who was presumed, and not untruly (as all accounts declare), to be very particularly in his Grace's good graces—whatever these may have been. At the theatre, one evening, this fair and frail one made her appearance, and the wags called out,

moment this sentence had been pronounced, and it was uttered with a barbarous impressiveness, the Chancellor leaned forward, and assumed an aspect of profound attention. The bar immediately composed their features into sympathy with the judicial countenance, and a general expression of compassion pervaded the court.

The extraordinary orator continued: "Yes, my Lord, the unfortunate man who stands before you, did, as a scholar of Trinity College, attend the funeral-procession with which the members of the University of Dublin followed the relics of your noble relative to an untimely tomb. My eyes, my Lord, are now filled by my own calamities, but they were then moistened by that sorrow, which, in common with the whole of the loyal part of the Irish nation (for, my Lord, I am a Protestant), I felt for the loss of your noble and ever-to-be-lamented kinsman." (The bar looked up to Lord Manners, and, perceiving his Lordship's attention still more strongly riveted, preserved their gravity.) "Oh, my Lord, I feel that I am addressing myself to a man who carries a true nobleness of sentiment in every drop of his honorable blood. God Almighty bless your Lordship! you belong, ay, every bit of you, to the noble house of Rutland; and aren't you the uncle of a Duke, and the brother of his Grace the Archbishop of Canterbury?"*

"But in what cause, Mr. M'Mahon, are you counsel?"

"In my own, my Lord. It is a saying, my Lord, that he

"Ah, Peg! who passed last night with you, Peg?" At that moment the Duke of Rutland, whose family name was Manners, entered the vice-regal box, accompanied by his young and lovely wife. Peg, turning round to her querists, with a sly look at the Duke, exclaimed, "Manners! you blackguards!" The whole audience burst into a shout of laughter, in which the Duke himself could not help joining. History does not record what was *the Duchess's* opinion of the reply, retort, and occasion! — M.

* Lord Manners was not uncle of a Duke. His father, Lord George Manners, son of the third Duke of Rutland, on succeeding to the estates of his maternal grandfather, Lord Lexington, whose family name was Sutton, assumed that surname. He was only cousin, at some distance, too, from the Duke of Rutland. His elder brother, Charles Manners Sutton, born in 1755, became Archbishop of Canterbury, and died in July, 1828. The Archbishop's eldest son, Speaker of the House of Commons for seventeen years, was created Viscount Canterbury, in 1835. — M.

who is his own counsel, has a madman for his client. But, my Lord, I have no money to fee my brethren. I haven't the *quiddam honorarium*, my Lord; and, if I am mad, it is poverty, and persecution, and the Jesuits, that have made me so. Ay, my Lord, the Jesuits! For who is counsel against me—I don't mean that Popish demagogue Daniel O'Connell, though he was brought up at St. Omer, and bad enough he is too, for abusing your Lordship about the appeals; but I mean that real son of Loyola, Tom ——, who was once a practising parson, and is now nothing but a Jesuit in disguise. But let him beware! Bagenal Harvey, who was one of my persecutors, came to an untimely end."*

Such was the exordium of Counsellor M'Mahon,† the rest of whose oration was in perfect conformity with the introductory passages from which I have given an extract. But, in order to form any estimate of his eloquence, you should have seen the prodigy itself: the vehemence of his gesture corresponded with the intensity of his emotions. His hands were violently clinched, and furiously dashed against his forehead. His mouth was spattered with discolored foam. His wig, of unpowdered horsehair, was flung off, and, in the variety of frantic attitude which he assumed, his gown was thrown open, and he stood with scarcely any covering but his ragged shirt, in a state of frightful emaciation, before the court.

When this ridiculous but painful scene had concluded, "So much," I whispered to myself, "for the dignity of the Irish bar!" I confess that I divested myself of my professional trappings, after having witnessed this exhibition of degradation and of misery, with very different feelings from those with

* Bagenal Harvey, of Bargray Castle, was an Irish barrister, of good fortune, family standing, and talents. He was a United Irishman in 1798, and eventually became Generalissimo of the insurgents, in the outbreak of that year. He fell into the hands of Lake, the royalist General, who immediately hanged him, in company with several others, and placed their heads upon spikes over the door of the Courthouse of Wexford, where they blackened in the sun for several weeks. — M.

† This unfortunate man, who had distinguished himself in the University of Dublin, and in early life had married a woman of large fortune, was lately found dead in Sackville street [in 1824. — M.].

which I had put them on; and, as I walked from the Courts with the impression of mingled shame and commiseration still fresh upon me, I ventured to inquire of my own consciousness whether there was anything so cabalistic in the title of Counsellor, which I shared in common with the wretched man, whom I afterward found to be in daily attendance upon the Hall, and whether I had not a little exaggerated the importance to which I imagined that every barrister possessed an indisputable claim. It occurred to me, of course, that the instance of calamity which I had just witnessed was a peculiar one, and carried with it more of the outward and visible signs of distress than are ordinarily revealed. But is agony the less poignant, because its groans are hushed? Is it because sorrow is silent, that it does not "consume the heart"? or did the Spartan feel less pain, because the fangs that tore him were hidden beneath his robe?

There is at the Irish bar a much larger quantity of affliction than is generally known. The necessity of concealing calamity is in itself a great ill. The struggle between poverty and gentility, which the ostentatious publicity of the profession in Ireland has produced, has, I believe, broken many hearts. If the Hall of the Four Courts were the Palace of Truth, and all its inmates carried a transparency in their bosoms, we should see a swarm of corroding passions at court in the breasts of many whose countenances are now arrayed in an artificial hilarity of look; and, even as it is, how many a glimpse of misery may be caught by the scrutinizing eye that pierces through the faces into the souls of men! The mask by which it is sought to conceal the real features of the mind will often drop off, and intimations of affliction will, upon a sudden, be involuntarily given. This is the case even with those whom the world is disposed to account among the prosperous; but there is a large class, who, to an attentive and practised observer, appear habitually under the influence of painful emotion. The author of "Vathek" (a man conversant in affliction) has represented the condemned pacing through the Hall of Eblis with the same slow and everlasting footfall; and I confess that the blank and dejected air, the forlorn and hopeless

eye, the measured and heart-broken pace, of many a man, whom I have observed in his revolution through the same eternal round in the Hall of the Four Courts, have sometimes recalled to me the recollection of Mr. Beckford's melancholy fancies.

If I were called upon to assign the principal cause of the calamities of which so many examples occur at the Irish bar, I should be disposed to say that their chief source lay in the unnatural elevation to which the members of that body are exalted by the provincial inferiority to which Ireland is reduced. The absence from the metropolis of the chief proprietors, and indeed of almost all the leading gentry, has occasioned the substitution of a kind of spurious aristocracy. An Irish barrister is indebted for his importance to the insignificance of his country; but this artificial station becomes eventually a misfortune to those who are dependent upon their daily exertions for their support; and who, instead of practising those habits of provident frugality which are imposed by their comparative obscurity upon the cloistered tenants of the two Temples, become slaves to their transitory consequence; and, after having wasted the hard earnings of their youth and manhood in preposterous efforts at display, leave their families no better inheritance than the ephemeral sympathy of that public whose worthless respect they had purchased at so large a cost. Let any man look back to the numerous instances in which appeals have been made to the general commiseration upon the decease of some eminent member of the bar, and he will not be disposed to controvert the justice of this censure upon the ostentatious tendencies of the profession.

Ireland is, I believe, the only country where there exists among the bar this preposterous tendency to ostentatious expense. The French bar, for example, live in respectable privacy, and are wholly free from extravagance. It is, I fancy, a mistake to suppose that the profits of the more eminent among them are too inconsiderable to permit of the silliness of display. The fees paid to French counsel of reputation, for their opinions, are large. Those opinions, indeed, are elaborate essays upon the law, and are called "Consultations." I had occasion, when in Paris, to consult Trippier,

who is accounted the best lawyer in Paris. He lives in the Rue Croix des Petis Champs, in apartments of a small size and indifferently furnished; and although he has amassed a large fortune, and has only two daughters, lives with a prudence which, if an Irishman were to publish a dictionary of synonymes, would be inserted as another name for avarice. I was not a little anxious to see this celebrated advocate, and waited impatiently in his study for his arrival. A French lawyer accompanied me, who observed that all his books related exclusively to law. The speeches of Cochin and Patin seemed, indeed, to be the only works connected with literature in his library. I was informed that Trippier valued nothing but the profits of his trade, and that he was wholly innocent of the sin of polite reading. At last the great *legiste* appeared. I was instantaneously struck with his strong resemblance to Curran. He is of precisely the same dimensions, has a countenance cast in the same mould, the same complexion, the same irregularity of feature, and the same black and brilliant eye. It also surprised me to find that there was an affinity in the sound of the voice, and a similar tendency to place the hand to the chin, and to throw up the head and eye in the act of speaking. He received us with brief courtesy, and seemed very anxious that we should proceed at once to the point. He placed himself in a huge chair, and assumed a most oracular aspect. I was a good deal amused by the transition of his manner, in which there was not a little of the conjuror. He drew one knee over the other, and extended his foot, which was covered with a tight green slipper. He wrapped himself up in his black silk *robe de chambre*, sustained his head with his left hand, fixed his fore finger on his brow, and, placing his right hand to his mouth, protruded his nether lip with an air of infallibility. After hearing an oral statement, to which he gave an occasional nod, he put his fee into his pocket, and saying that the facts should be set forth upon paper, and that he should then write his opinion, bowed us out of the room.— *Nota Bene*, A French lawyer receives a double fee on a written statement, and fifteen Napoleons are not unusually paid to Trippier.

The life of an eminent lawyer may be thus rapidly sketched: —He is called without any other property than those talents which have not in general a descendible quality. For some years he remains unemployed: at last gets a brief, creeps into the partialities of a solicitor, and sets up a bag and a wife together. Irish morality does not permit the introduction into the chambers of a barrister of those moveable objects of unwedded endearment, which Lord Thurlow used to recommend to the juvenile members of the profession; and, marriage, that perpetual blister, is prescribed as the only effectual sanative for the turbulent passions of the Irish bar.

In the spirit of imprudence, which is often mistaken for romance, our young counsellor enters with some dowerless beauty into an indissoluble copartnership of the heart. A pretty pauper is almost sure to be a prodigal. "Live like yourself," is soon my lady's word. "Shall Mrs. O'Brallaghan, the wife of a mere attorney, provokingly display her amorphous ankle, as she ascends the crimson steps of her carriage, with all the airs of fashionable impertinence; and is the wife of a counsellor in full practice, though she may have 'ridden double' at her aunt Deborah's, to be unprovided with that ordinary convenience of persons of condition?" After a faint show of resistance, the conjugal injunction is obeyed.

But is it in an obscure street that the coachman is to bring his clattering horses to an instantaneous stand? Is he to draw up in an alley, and to wheel round in a *cul de sac?* And then there is such a bargain to be had of a house in Merrion-square. A house in Merrion-square is accordingly purchased, and a bond, with warrant of attorney for confessing judgment thereon, is passed for the fine. The lady discovers a taste in furniture, and the profits of four circuits are made oblations to *virtù*. The counsellor is raised to the dignity of King's Consul, and his lady is initiated into the splendors of the Vice-Regal court. She is now thrown into the eddies of fashionable life; and in order to afford evidence of her domestic propensities, she issues cards to half the town, with an intimation that she is "at home."

She has all this while been prolific to the full extent of Hi-

bernian fecundity. The counsellor's sons swagger it with the choicest spirits of Kildare street; and the young ladies are accomplished in all the multifarious departments of musical and literary affectation. Quadrilles and waltzes shake the illuminated chambers with a perpetual concussion. The passenger is arrested in his nocturnal progress by the crowd of brilliant vehicles before the door, while the blaze of light streaming from the windows, and the sound of the harp and the taber, and the din of extravagance, intimate the joyaunce that is going on within. But where is the counsellor all this while? He sits in a sequestered chamber, like a hermit in the forest of Comus, and pursues his midnight labors by the light of a solitary taper, scarcely hearing the din of pleasure that rolls above his head.

The wasteful splendor of the drawing-room, and the patient drudgery of the library, go on for years. The counsellor is at the top of the forensic, and his lady stands upon the summit of the fashionable world. At length death knocks at the door. He is seized by a sudden illness. The loud knock of the judges peals upon his ear, but the double tap of the attorney is heard no more. He makes an unavailing effort to attend the Courts, but is hurried back to his house, and laid in his bed. His eyes now begin to open to the realities of his condition. In the loneliness and silence of the sick man's chamber a train of reflections presents itself to his mind, which his former state of professional occupancy had tended to exclude. He takes a death-bed survey of his circumstances; looks upon the future; and by the light of that melancholy lamp that burns beside him, and throws its shadowy gleams upon his fortunes, he sees himself, at the close of a most prosperous life, without a groat. The sense of his own folly, and the anticipated destitution of his family, settle at his heart. He has not adopted even the simple and cheap expedient of insuring his life, or by some miserable negligence has let the insurance drop. What is to become of his wife and his children? From the sources of his best affections, and of his purest pleasures, he drinks that potion — that aqua Tophana of the mind, which renders all the expedients of art without

avail. Despair sits ministering beside him with her poisoned chalice, and bids defiance to Colles and to Cheyne.* His

* Colles and Cheyne were at the head of the medical profession in Dublin for many years. Abraham Colles, born in 1773, studied at Dublin University, and was admitted a licentiate of the Royal College of Surgeons in 1795. Immediately after, he went to Edinburgh, then a great school of medicine, and there received the degree of M. D. He thence went to London, where he pursued further anatomical studies and much assisted in making the dissections from which were made the engravings in his friend Astley Cooper's work on Hernia. Returning to Dublin, he was elected resident surgeon of Steven's Hospital, which he continued from 1799 to 1833, and thence, as visiting surgeon, to 1842. He became a member of the Irish College of Surgeons, was many years Censor and thrice President of that body. He published several valuable works on Surgery, and one on the "Use of Mercury." He died in December, 1843, aged 71 years. In 1804 he was made Professor of Anatomy and Surgery, in the College of Surgeons, and continued in that chair until 1836. The result of his lectures was this — that there were sixty medical and surgical students per annum, when he commenced, and the annual average latterly was nearly a thousand. Dr. James W. Powell, now of New York (the eminent oculist), who was one of Colles' pupils, informs me that his lectures were "unambitious in language, clear in arrangement, full of facts, sound in theory plain in delivery, and crowded with practical illustrations." In those essentials they resembled those of Abernethy, in London. Colles was an excellent anatomist — but averse to show or display. He was the first surgeon in Ireland who ever tied the subclavial artery: an operation previously performed only twice in England. And, in this briefest notice, should be recorded that Colles was the first surgeon in Europe who ever passed a ligature round the arteria innominata, the first and largest branch derived from the great trunk of the aorta. — Colles was somewhat of a humorist. In his fee-book, which he carefully kept from the commencement of his practice, he had many curious entries, such as "For giving ineffectual advice for deafness; one guinea; — for attempting to draw out the stump of a tooth, one guinea; — for telling him that he was no more ill than I was, one guinea; — for nothing that I know, except that he probably thought he did not pay me enough last time, one guinea." — Colles was offered a baronetcy, which he declined, sensibly saying that the distribution he intended making of his landed property (worth two thousand pounds sterling a year) would not leave his eldest son sufficient to support an hereditary title. — Dr. John Cheyne, for many years at the head of the physicians in Ireland, was a native of Scotland, and born in 1777. He served in the Artillery as surgeon, was on duty in Ireland, during the revolt of 1798, and on his return to Scotland, became acquainted with Mr. (afterward Sir Charles) Bell, with whom he studied pathology and anatomy. At the age of thirty-five, Dr. Cheyne settled in Dublin. The leading men in the profession, who speedily saw that he understood acute diseases, as well as being acquainted with morbid anatomy, elected him Physician to Meath Hospital, and, soon after, he was

family gather about him. The last consolations of religion are given, amid heart-broken sobs; and as he raises himself, and stretches forth his head to receive the final rite, he casts his eyes upon the wretches who surround him, and shrinks back at the sight.

It is in the midst of a scene like this, and when the hour of agony is at hand, that the loud and heartless voice of official insolence echoes from chamber to chamber; and, after a brief interval, the dreadful certainty, of which the unhappy man had but too prescient a surmise, is announced. The sheriff's officers have got in; his majesty's writ of *fieri facias* is in the progress of execution; the sanctuaries of death are violated by the peremptory ministers of the law, and the blanket and the silk gown are seized together; and this is the conclusion of a life of opulence and of distinction, and, let me add, of folly as well as fame. After having charmed his country by his eloquence, and enlightened it by his erudition, he breathes his last sigh amid the tears of his children, the reproaches of his creditors, and a bailiff's jests.

made Professor of the practice of physic, to the College of Surgeons. This being during the Peninsular war, when there was a great demand for army-surgeons, his lectures entered fully into military medicine, and were crowded during five courses. He was appointed Physician to the House of Industry in 1815, resigning his College Professorship and, in 1820, was appointed Physician-General to the Army, the highest medical rank in Ireland. His annual income during the next ten years averaged five thousand pounds sterling, from private practice alone. In 1831, he was compelled, by the formation of the climacteric disease, which finally killed him, to retire from practice, amid the regret of all branches of the profession, and took up his abode at Sherington, a small village in England, where (to use his own words) "thinking it better to wear out than to rust out," he practised gratuitously among the poor, wrote some articles for "The Cyclopædia of Practical Medicine," and died on the last day of January, 1836. His family published a posthumus work, written after his retirement, called, "Essays on Partial Derangement of the Mind, in supposed connection with Religion," in which his theory is that derangement of the mind invariably is connected with bodily disorder — that religious madness in the first instance, is perversion of only one power of the mind — that clergymen err in placing Divine truth before those laboring under mental delusion until the bodily disease with which it is connected is cured or relieved — and that many of the doubts and fears of some religious persons depend either upon ignorance of the constitution and operations of the mind, or upon diseases of the body. — M.

The calamities of which I have drawn this sombre picture, are the result of weakness and ostentation. Their victims are, upon that account, less deserving of commiseration than the unhappy persons whose misfortunes have not been their fault. This obvious reflection recalls the image of Henry MacDougall. I hear his honest laugh, which it was good for a splenetic heart to hear; I see the triumph of sagacious humor in his eye; those feats of fine drollery, in which pleasantry and usefulness were so felicitously combined, rise again to my recollection; the roar of merriment into which the bar, the jury, and the bench used to be thrown by this master of forensic mirth, returns upon my ear; but, alas! a disastrous token, with the types of death upon it, mingles itself with these associations. Poor MacDougall! he was prized by the wise and beloved by the good; and, with a ready wit and a cheerful and sonorous laugh, he had a manly and independent spirit and a generous and feeling heart.

Mr. MacDougall was at the head of the Leinster circuit, and was, if not the best, among the very first class of cross-examiners at the Bar. No man better knew how to assail an Irish witness. There was, at first, nothing of the brow-beating or dictatorial tone about this good-humored inquisitor, who entered into an easy familiarity with his victim, and addressed him in that spirit of fantastic gibe, which is among the characteristics of the country. The witness thought himself on a level with the counsellor, who invited him to a wrestling-match in wit, and, holding it a great victory to trip a lawyer up, promptly accepted the challenge. A hard struggle used often to ensue, and many a time I have seen the counsellor get a severe fall. However, he contrived to be always uppermost at last. The whole of "the fancy," who are very numerous in Dublin, used to assemble to witness these intellectual gymnastics. A kind of ring was formed round the combatants, and my Lord Norbury sat as arbiter of the contest, and insisted upon fair play. The peals of laughter which were produced by his achievements in pleasantry procured for MacDougall the title of "MacDougall of the Roar."

I shall not readily forget his last display. An action for

slander was brought by an apothecary against a rival pharmacopolist. One of the apprentices of the plaintiff was his leading witness, and it fell to Mr. MacDougall to cross-examine him. The wily lawyer induced the youthful Podalirius to make a display of his acquirements in detailing the whole process of his art. The farce of the "Mock Doctor" has never produced more mirth. All the faculty attended, and the crowd of doctors, surgeons, and man-midwives, reached the roof. They were, however, reluctantly compelled to join in the tumult of laughter created by this formidable jester at their expense. The chorus of apothecaries in Moliere's "Bourgeois Gentilhomme," in which the various mysteries of the profession are detailed, does not disclose more matter for merriment than was revealed in the course of this ludicrous investigation.

It is recorded of the "satirical knave," that he was assailed by the illness of which he died during the personation of a character intended as a ridicule upon the faculty. I sat close to Mr. MacDougall, and while I participated in all its mirth, my attention was attracted by a handkerchief which the author of all this merriment was frequently applying to his mouth, and which was clotted with blood. I thought, at first, that it proceeded from some ordinary effusion, and turned again toward the witness, when a loud laugh from the counsel at the success of a question which he had administered to the young apothecary, touching his performance of Romeo in the private theatre in Fishamble-street [Dublin], directed my notice a second time to Mr. MacDougall, and I perceived that, while the whole auditory was shaken with mirth, he was taking a favorable opportunity of thrusting the bloody handkerchief into his bag, without attracting the general attention, and immediately after applied another to his lips. Again he set upon the Romeo of Fishamble street, and produced new bursts of ridicule, of which he took advantage to steal his bloody napkins away, and to supply himself, without notice, with the means of concealing the malady which was hurrying him to the grave.

A day or two after this trial his illness and his ruin were announced. His high reputation in his profession, his private

worth, his large family, and the opinion which had been entertained of his great professional prosperity, fixed the public attention upon him. It was at last discovered that all the earnings of a laborious life had been laid out in speculations upon lands belonging to the corporation of Waterford, to the representation of which, it is supposed, he aspired. He had borrowed large sums of money, and had subjected himself to enormous rents. He was induced, in the hope of ultimately retrieving his circumstances, to involve himself more deeply in debt; and the rank of King's counsel, to which he was raised by Mr. Plunket, in a manner equally honorable to both, offered a new career to his talents, and led him to expect that all his difficulties might be at last surmounted. But the hope was a vain one. The pressure was too great for him to bear, and he sunk at last beneath it.

For a long time he struggled hard to conceal the state of his circumstances and of his mind, and assumed a forced hilarity of manners. He was conspicuous for an obstreperous gayety at the bar-mess on his circuit, and no man laughed so loudly or so long as he did; but when his apparently exuberant spirits were spoken of, those who knew him well shook their heads, and hinted that all was not right within. And so it proved to be. His mind had for years been corroded with anxieties. His constitution, although naturally vigorous, was slowly shaken by the sapping of continual care. A mortal disease at length declared itself, in the increasing gush of blood from the gums, which he had employed the expedients that I have mentioned to conceal. Yet even in the hours of advancing dissolution, he could not be induced to absent himself from court; and the scene which I have been describing was one of those in which, if I may so say, Momus and Death were brought into fellowship. He died a short time after the trial in which I had noted this painful incident.

To the last, his love of ludicrous association did not desert him. A little while before his departure, one of his oldest friends was standing at his bed-side and bidding him farewell. During this melancholy parting, a collapse of the jaws took place, which rendered it necessary to tie a bandage under the

chin; and in the performance of the operation, with the blood still oozing from his mouth, and trickling down the sheets, he turned his eyes languidly to his friends, and muttered, with a faint smile, "I never thought to have died chapfallen." This observation was not the result of insensibility; quite the reverse. "You should have seen him when he spoke it," said the gentleman who mentioned the circumstance; "I felt like the companion of Yorick's death-bed, who perceived, by a jest, that the heart of his friend was broken." It is consolatory to know, that since his death his property has been turned to good account, and that his family are placed in independence.

Never to attain to station at the Bar; to carry the consciousness of high talent; to think that there is a portable treasure in one's mind, which the attorneys do not condescend to explore; to live for years in hope, and to feel the proverbial sickness of the heart arising from its procrastination—these are serious ills. But the loss of business, at an advanced period of life, is a far greater calamity than never to have attained its possession. Yet a distinction is to be taken. Those who have been deserted by their business are divisible into two classes, who are essentially different: the prudent, who, with the forecast which is so rare a virtue in Ireland, have taken advantage of the shining of their fortunes, and, by a sagacious accumulation, are enabled to encounter the caprices of public favor; and they who, after a life of profuseness, find themselves at last abandoned by their clients, without having preserved the means of respectable support.

The former class suggest a ludicrous, rather than a melancholy train of images. The contemplation of a rich man out of employment affords more matter for merriment than for condolence. To this body of opulent veterans my friend Pomposo belongs. His success at the Bar was eminent. He possessed, in a high degree, a facility of fluent and sonorous speech, and had an imposing and well-rounded elocution, a deep and musical voice, a fine and commanding figure, and a solemn and didactic countenance. He flourished at a period when a knowledge of the minute technicalities of the law was not essential at the Irish Bar. There was a time when an Irish

counsellor was winged to heaven by a bill of exchange, and drew tears from the jury in an ejectment for non-payment of rent. In those days Pomposo was in the highest repute; and such was the demand for him, that the attorneys upon opposite sides galloped from the assize towns to meet him, and sometimes arriving at the same moment at the open windows of his carriage, thrust in their brief, and with a shower of bank-notes, and simultaneously exclaimed that the counsellor belonged to them. Upon these occasions Pomposo used to throw himself back in his post-chaise with an air of imperious *non-chalance*, and, pocketing the money of both parties, protest that it was among the calamities of genius to be stopped in the king's highway, and, drawing up the windows of his carriage, commanded the postillion to drive on. This half-yearly triumph of eloquence through the Munster circuit lasted for a considerable time, and Pomposo found himself a rich man. When, after the enactment of the Union, English habits began to appear, and the iron age of demurrers and of nonsuits succeeded to the glorious days of apostrophes and harangues, it was all over with Pomposo. Still he loved the Four Courts, and haunted them.

Becoming at last weary of walking the Hall, he took refuge in the Library attached to the Courts. It was pleasant to hear him ask, with an air of earnestness, for the oldest and most unintelligible repertories of black letter, in which he affected to seek a pastime. Bracton seemed to be his manual, and Fleta his vade-mecum. I have heard his deep and solemn voice, which still retained its old rhetorical tones, breaking in upon the laborious meditations of the young gentlemen who had recently returned from Butler's or Sugden's* offices, bristling with cases and with points, and who just raised up their heads and invested their features with a Lincoln's-Inn expression at any intrusion of a lawyer of the old school into this repository of erudition. Pomposo, having armed himself with one of the year-books, took his station tranquilly by the fire,

* Charles Butler was a Catholic, and one of the best special pleaders in England.—Sugden (now Lord St. Leonards) wrote his great work on Powers when he was only a year at the bar.—M.

and after stirring it, and commenting with his habitual magniloquence upon the weather, threw open the annals of justice in the reign of the Edwards, and fell fast asleep. It has been recorded of him that he has been heard, upon these occasions, to speak in his slumbers; and while Queen Mab was galloping on his fingers, he has alternately intermingled the prices of stocks with adjuration to a Munster jury.

Pomposo still goes the circuit. No man is more punctual in his attendance at the exact hour of dinner at the Bar-room. The junior, who is generally fresh from a pleader's office, and enamored of Nisi Prius upon his first tour, remains in court until the business is concluded, and thus neglects the official duty which requires his presence at the Bar-room at five o'clock. Pomposo and an old friend or two enter together. Pomposo draws forth his watch, and exclaims, "Ten minutes past five o'clock, and the junior not yet come!" Having a taste for music, he beguiles the time with humming some of those airs for which he was famous in his youth, and goes through the best portion of the "Beggar's Opera," when six o'clock strikes. "I protest it is six o'clock, and the junior is not yet come—'When the heart of a man,' &c.;" and so Pomposo continues until seven o'clock, alternately inveighing against the remissness of modern juniors, and, as Wordsworth has expressed it,

> ——— "whistling many a snatch of merry tunes
> That have no mirth in them."

The wealth which this very respectable gentleman has accumulated raises him above the sympathy of the Bar. The other class of barristers without employment falls more immediately under the title with which I have headed this article.

There was a set of men at the Irish Bar who, I think, may be designated as the "Yelverton school of lawyers." Lord Avonmore, the Chief Baron of the Exchequer, whose name was Barry Yelverton, originally belonged to that grade in society which is within the reach of education, but below that of refinement. He never lost the indigenous roughness and asperity of character, which it has been said to be the office of

literature to soften and subdue; but he had a noble intellect, and in the deep rush of his eloquence the imperfections of his manner were forgotten.

His familiarity with the models of antiquity was great, and his mind had imbibed much of the spirit of the orators of Greece and Rome, which he infused into his own powerful discourses. So great was his solicitude to imbue himself with the style of the eminent writers whom he admired, that he translated several of their works, without a view to publication.

His talents raised him to the highest place at the Bar, and his political complaisance lifted him to the Bench. In private life he possessed many excellent qualities, of which the most conspicuous was his fidelity in friendship. In his ascent he raised up the companions of his youth along with him. The business of the Court of Exchequer was, under his auspices, divided among a set of choice spirits who had been the boon companions of his youth, and belonged, as well as himself, to a jovial fraternity, who designated themselves by the very characteristic title of "Monks of the Screw."*

* Curran, who like all wits, was an eminently social man, collected around him, while struggling at the bar, an assemblage of choice spirits, chiefly of his own profession. Among the members were Henry Flood, Grattan, Father O'Leary, Lord Charlemont, Judge Day and others who were destined to wear the ermine, Bowes Daly, Jerry Keller, Lord Avonmore, and others. They formed a jovial society, meeting during term on every Saturday night (the lawyer's holyday), under the presidency of Curran, who was Grand Prior of the Order, and wrote the charter song, of which only the following stanzas have come down to us:—

"When St. Patrick our Order created,
And called us the Monks of the Screw,
Good rules he revealed to our Abbot,
To guide us in what we should do.
But first he replenished his fountain,
With liquor the best in the sky,
And swore, by the word of his saintship,
That fountain should never run dry.

"My children! be chaste — till you're tempted:
While sober, be wise and discreet,
And humble your bodies with fasting,
Whene'er — you've got nothing to eat!

These merry gentlemen encountered a nonsuit with a joke, and baffled authority with a repartee. A system of avowed and convivial favoritism prevailed in the court; and the "*facundi calices*," which had been quaffed with his lordship, were not unnaturally presumed to administer to the inspiration of counsel on the succeeding day. The matins performed in court were but a prolongation of the vespers which had been celebrated at the abbot's house; and as long as the head of the order continued on the Bench, the "Monks of the Screw" were in vogue; but when the Chief Baron died, their bags were immediately assailed with atrophy. They lost their business, and many of them died in extreme indigence. It may be readily imagined that their habits were inconsistent with the spirit of saving. They were first pitied, then forgotten, and soon after buried.

Most of these gentlemen flourished and withered before my time. One of them, however, I do remember, who survived his companions, and whose natural vitality of spirit, and Diogenes turn of philosophy, sustained his energy to the last. This was Mr. Jeremiah Keller, who was universally known by the more familiar appellation of Jerry Keller in the Courts.*

Then be not a glass in the convent,
Except on festival found;
And, this rule to enforce, I ordain it—
A festival all the year round."

Some five or six years ago, I met an aged clergyman in London, whom I recollect on three accounts:—at the age of 86, he remembered all the cards played at whist, by whom played, and in what order; he had voted in 1780, being then twenty-two years old, at the election for Bristol, when one of the candidates, following Burke, who had made a long speech, briefly and effectively exclaimed, "I say *ditto* to Mr. Burke;" and he had been one of the "Monks of the Screw." The club, for it was such, was established (he said) when Curran, a poor man, could not afford the expense of entertaining his boon-companions. It originally was a sort of *pic nic*, each man sending in what he pleased, to make up the feast, the supply being usually so abundant as to supply Curran's domestic wants for the ensuing week. Eventually, the monks had rooms of their own.—M.

* Jerry Keller, as he was always called, was an Irish barrister of immense talent, whose life was a failure. He used no mean arts (and such were common in his day) to obtain briefs. He neither flattered seniors nor entertained attorneys, nor flirted with their wives, nor coquetted with their daughters. He

The attorneys could deprive him of his briefs, but could not rob him of his wit. He was a man

> ——— "replete with mocks,
> Full of comparisons and wounding flouts."

The loss of business served to whet his satire and give more poignancy to his biting mirth. He used to attend the Hall of the Courts with punctuality, and was generally surrounded by a circle of laughers, whom the love of malicious pleasantry attracted about him. His figure and demeanor were remarkable. He never put on his wig and gown, as he scorned the affectation of employment, but appeared in an old frieze great-coat of rusty red, which reached to his heels, and enveloped the whole of his gaunt and meagre person. A small and pointed hat stood upon his head, with a narrow and short-curled brim. His arms were generally thrust into the sleeves of his coat, which gave him a peculiarity of attitude.

Looking at him from a distance, you would have taken him for some malevolent litigant from the country, upon whose passions a group of mockers were endeavoring to play; but, upon a more attentive perusal of his countenance, you perceived a habit of thought, of a superior order, and the expres-

did not succeed at the bar, as a man so gifted should have succeeded. At last he limited his ambition to shining at the social board, and *there* few eclipsed him. A dull rival, named Mayne, was made a judge; "There," he was heard to mutter, like the under-growl of a tempest, "Mayne sits, risen by his gravity, and Keller sunk by his levity: what would Newton say to *that!*"—He was witty. He dined, in 1780, at the house of one Garrett Moore, grocer and whiskey-vender, in Aungier street, Dublin. When the mirth grew "fast and furious," an intimation was made that the lady of the house had just been confined. "Let us adjourn," said his friend. "Certainly," replied Jerry, "*pro re natâ.*" The young stranger, was Thomas Moore, the poet.—An attorney, with a peculiar malformation of hands, explaining an act of parliament, sprawled his deformed members over the page. "Here it is," he cried, "here's the clause." Jerry answered, "you are right, for once—they're more like *claws* than hands." When, in 1800, Barry Yelverton was raised from the rank of Baron, to that of Viscount Avonmore, because he had voted for the Union, he summoned a few friends to read the draft of the patent. It was worded, "To all to whom these letters-patent shall come, greeting; We of the *United* kingdom of Great Britain and Ireland—"—"Stop!" said Keller, who was one of the party "the *consideration* is set out too early in the deed."—M.

sion of no ordinary mind. His features were sharp, and pointed to the finest edge. There was that acuteness of the nose which denotes the lover of a gibe. His eyes were piercing, clear, and brassy; they were filled with a deadly irony, which never left them. A flash of malignant exultation played over his features when he saw how deeply the shaft had struck, and with what a tenacity it stuck to his victim. The quiver of his lip, in giving utterance to some mortal sneer, was peculiarly comical: he seemed as if he were chewing the poison before he spat it forth. His teeth gave a short chatter of ridicule; you heard a dry laugh, a *cachinnus* which wrinkled all his features, and after a sardonic chuckle, he darted forth the fatal jest, amidst those plaudits for its bitterness which had become his only consolation.

Jerry Keller, as the senior, presided at the mess of the Munster bar, and ruled in all the autocracy of unrivalled wit. It was agreed upon all hands that Jerry should have a *carte-blanche* with every man's character, and that none of his sarcasms, however formidable, should provoke resentment. This was a necessary stipulation; for when he had been roused by those potations, in which, according to a custom which he did not consider as "honored by the breach," he liberally indulged, there was a Malagrowther savageness in his sarcasm which made even the most callous shrink. He who laughed loudest at the thrust which his neighbor had received, was the next to feel the weapons of this immitigable satirist. To enter into a struggle with him, was a tempting of God's providence. You were sure to be pierced in an instant by this accomplished gladiator, who could never be taken off his guard. Jerry had been a Catholic, and still retained a lurking reverence for a herring upon Good Friday. A gentleman of no ordinary pretension,* observing that Jerry abstained from meat on that sacred day, ventured to observe, "I think, Jerry, you have still a damned deal of the *Pope* in your belly."—"If I have," said Jerry, "you have a damned deal of the *Pretender* in your head."

* Nicholas Purcell O'Gorman, Secretary to the Catholics for many years, and appointed County Judge by Lord Anglesey, when Viceroy.—M.

I was one day (let not the reader allow himself to be startled by too sudden a transition from Dublin to Constantinople)—I was, I recollect, one day, repeating this sarcasm to a gentleman who had recently returned from the East, and mentioned the name of the barrister, Mr. N——, to whom it had been applied; and I was a good deal surprised, that, instead of joining in a laugh at the bitterness of the retort, his face assumed a melancholy expression. I asked him the cause of it, when he told me, that the name which I had just uttered, had recalled to him a very remarkable and very painful incident which had happened to him at Constantinople. I begged him to relate it. "I was one evening," he said, "walking in the cemeteries of Constantinople. But I have, I believe, written an account of this adventure in my journal, and had better read it to you."

He accordingly took a huge book from a drawer, and read as follows:—"It is not unusual for the inhabitants of the Asiatic portion of the great capital of Islamism, to walk in the evening amid the vast repositories of the dead, which are adjacent to Scutari. Death is little dreaded in the East, while the remains of the deceased are objects of tenderness and respect among their surviving kindred. This pious sentiment being unaccompanied by that dismay with which we are apt to look upon the grave, attracts the Turks to the vast fields where their friends and kindred are deposited.

"I proceeded upon a summer evening from Constantinople, properly so called, to the Asiatic side, and entered the vast groves of cypresses which mark the residence of the dead. The evening was brilliant. There was not a breath of wind to stir the leaves of those dismal trees, which spread on every side as far as the sight can reach, and, being planted in long and uniform lines, open vistas of death, and conduct the eye through long sweeps of sepulchres to the horizon. The dwellings of the dead were filled with the living. The ranges of cypresses were crowded with Turks, who moved with that slow and solemn gait which is peculiar to the country. The flowing and splendid dresses of those majestic infidels, their lofty turbans, of which the image is sculptured upon every monument,

their noble demeanor, and their silence and collectedness, by the union of life and death together, gave an additional solemnity to this imposing spectacle. The setting of the sun threw a mournful splendor upon the foliage of the trees, and lighted up this forest of death with a funereal glory.

"I leaned against a cypress which grew over a grave on which roses had been planted. From this spot, full of those 'flower-beds of graves,' as Mr. Hope* has called them, and which mothers or sisters had in all likelihood so adorned (it is the usage in the East to apparel a tomb with these domestic tokens of endearment), I looked around me. While I was contemplating 'this patrimony of the heirs to decay,' my attention was attracted by a man dressed in tattered white, and with a ragged turban on his head, who stood at a small distance from me, and, although attired in the dress of the country, had something of the Frank in his aspect. There was an air of extreme loneliness and desolation about him. He leaned with his back to a marble sepulchre, which was raised by the side of the public road that for miles traverses the cemeteries. His arms were folded, his head was sunk on his chest, and his eyes fixed upon the earth. The evening was far advanced, and, as it grew dark, the crowds who had previously filled the cemeteries began to disperse.

"As the brightness of the evening passed away, I perceived that dense and motionless cloud of stagnant vapors, which had disappeared in the setting sun, but which, Mr. Hope tells us, for ever hangs over these dreary realms, and is exhaled from the swelling soil ready to burst with its festering contents. A chilly sensation stole upon me, and I felt that I was 'set down in the midst of the valley which was full of bones.' I was about to depart from this dismal spot, when, looking toward the sepulchre where I had observed the solitary figure I have been describing, I perceived that he was approaching. I was at first a little startled, and, although my apprehensions passed away when he addressed me in the English language, my surprise, when I looked at him, was not a little increased. He said, that he conjectured from my appearance that I was an

* In "Anastatius," a Turkish romance, by the late Thomas Hope.—M.

Englishman ; and was proceeding to implore, with the faltering of shame, for the means of sustenance, when I could not avoid exclaiming, 'Gracious God! can it be?'—'Alas!' said the unfortunate man, covering his face with his hands, 'it is too true. I am Mr. N——, of the Irish bar.'"*

The gentleman who read this singular incident from his journal, was at the time employed in writing a Tour in the East, and may have tinged his description of the cemeteries of Stamboul with some mental colors. But, of the fact of this interview having taken place in the burial-ground of Constantinople, I have no doubt. It would not be easy to imagine adventures more disastrous than those of the unhappy Mr. N——. He moved in Dublin in the highest circles, and was prized for the gracefulness of his manners and the gayety of his conversation. He became a favorite at the castle, and was admitted to the private parties at the vice-regal palace. The late Duchess of Gordon visited Ireland, and was greatly pleased with his genius for losing at piquet. No person was preferred by that ingenious dowager to a votary of fortune, who still continued to worship at a shrine where his prayers had never been heard. It was rumored that he was every day plunging himself more deeply into ruin ; still he preserved his full and ruddy cheek, and his glittering and cheerful eye. Upon a sudden, however, the crash came, and his embarrassments compelled him to leave the country.

He had one friend, Mr. Croker, of the Admiralty, had known him when he was himself at the Irish bar, and was diligently employed in writing those admirable satires, with which I shall endeavor, upon some future occasion, to make the English public better acquainted ; for Mr. Croker is not only the author of "The Battle of Talavera," but likewise of the "Familiar Epistles," and is thought to have assisted Mr.

* Mr. Norcott was the person here indicated. He was a great favorite with the Duke of Richmond (who was Viceroy of Ireland from 1807 until 1813), and sacrificed his bar prospects, which were good, and his talents, which were considerable, to the poor vanity of being a court-favorite. His fortune passed from him at the card-table — as it often does when the points at short whist are fifty guineas each, with "a pony" (or five-and-twenty pounds) on the odd trick. He perished, a renegade, as described in the sketch. — M.

N—— in the composition of "The Metropolis."* These very able pasquinades were but the preludes to high undertakings.

* John Wilson Croker, well known as a politician and author, was born in 1780, educated at Dublin University, and called to the bar in 1802. Accident threw him into Parliament—for, having been professionally engaged at Downpatrick election, in 1807, he was returned as member for that borough. Thence, until the passing of the Reform Bill, in 1832, he continuously held a seat in Parliament—five years of that period, for the University of Dublin. In 1809, when Colonel Wardle brought his charges against the Duke of York (second son of George III., and Commander-in-Chief of the army), of having permitted Mary Ann Clarke, his mistress, to dispose of military and other appointments, under his patronage, Croker so ably and zealously defended the Duke, as a volunteer, that (though his convicted client had to resign the command of the army) the post of Secretary of the Admiralty was given him, in gratitude for the service, and he retained this lucrative office, then worth nearly three thousand pounds sterling a year, until 1830, when he retired, on the break-up of the Wellington Ministry, on a pension of fifteen hundred pounds a year. Two years earlier he had been made a Privy Councillor. When the Grey Administration brought in and carried their Reform Bill, they were met on every detail by Croker, who showed a tact, readiness, and even eloquence, joined with ready wit and sarcasm, for which few had previously given him credit. To use the language in which Mr. Thackeray described the glorious conduct of the great Washington, he "fought with a courage worthy of a better cause!"—Here ended Croker's political life, for he kept his vow that he would not sit in a reformed House of Commons. His earlier literary productions, sarcastic and shrewd, were on local subjects, and had their chief celebrity in Dublin, where their allusions were understood and relished. His first prose work of permanent interest was called "Stories from the History of England," which Scott took as the model of his own familiar "Tales of a Grandfather." He has edited the Suffolk Papers, the Letters of Lady Hervey and her husband, and Boswell's Life of Johnson. This last, which was crowded with errors amid a great mass of new and illustrative annotation, drew down a severe critique, in the "*Edinburgh Review*," from the pen of Macaulay; a favor which Croker returned, with interest, on Macaulay's "History of England." This critique appeared in the "*Quarterly Review*," established, in 1809, through the combination of Scott, Canning, Croker, and their friends. Croker, who was admitted to much familiarity with George IV., both as Regent and King, was in habits of intimacy with the nobility as well as the leading men of letters and artists on the Tory side. One of his latest criticisms was published in the *Quarterly Review* for July, 1853, on Lord John Russell's "Life, Journals, and Letters, of Thomas Moore," in which the noble editor and the peer-loving "poet of all circles" were ruthlessly tormented, tomahawked, and scalped. It is an old and true saying that "those who play at bowls must expect rubbers," and Mr. Croker has been treated, in this retributive spirit, by Mr. D'Israeli, who

It does Mr. Croker great honor that, in his emergencies, his brother barrister and satirist was not forgotten. The honorable Secretary promised a lucrative situation for Mr. N—— in the island of Malta. His Irish friends looked forward to the period when he should be enabled, after recruiting his circumstances, to return to Ireland, and to reanimate Kildare-street club-house, with that vivacious pleasantry of which he was a felicitous master; when, to everybody's astonishment, it was announced that Mr. N. had left the island,* had taken up his residence at Constantinople, and renounced his religion with his hat.

He became a renegade, and invested his brows with a turban. The motives assigned for this proceeding it is not necessary to mention. It is probable that he involved himself a second time by play, and that he had no other resource than the expedient of a conversion, through the painful process of which he heroically went. Having carried some money with him to Constantinople, he at first made a considerable figure. He was dressed in the extreme of Turkish fashion, and was considered to have ingratiated himself by his talents into the favor of some leading members of the Divan. His prosperity at Constantinople, however, was evanescent. His money was soon spent, and he fell into distress. Letters of the most heart rending kind were written to his friends in Dublin, in which he represented himself as in want of the common means of subsistence.

It was in this direful state of destitution that he addressed himself, in the cemeteries of Constantinople, to a person whom he guessed to be a native of these countries, and whom he discovered to be his fellow-citizen. His condition was lamentable

has drawn him, in his political novel of "Conyngsby," as the mean, toadying, and illiberal Digby. It is understood that, though now [1854] in his seventy-fourth year, Mr. Croker is editing the works of Alexander Pope. In his editorial as well as in his critical capacity, Croker avoids anything like a broad view of the subject, but carefully creeps over it, applying himself to the examination of minute details. He is never so happy as when he "breaks a butterfly upon the wheel."—M.

* Barrington says, "At Malta he soon disgraced himself in a manner which for ever excluded him from society.—M."

beyond the power of description. His dress was at once the emblem of apostacy and of want. It hung in rags about a person which, from a robust magnitude of frame, had shrunk into miserable diminution. He carried starvation in his cheeks; ghastliness and misery overspread his features, and despair stared in his glazed and sunken eye. He did not long survive his calamities.

The conclusion of his story may be briefly told. For a little while he continued to walk through the streets of Constantinople in search of nourishment, and haunted its cemeteries like the dogs to which Christians are compared. He had neither food, roof, nor raiment. At length he took the desperate resolution of relapsing into Christianity; for he indulged in the hope, that, if he could return to his former faith, and effect his escape from Constantinople, although he could not appear in these countries again, yet, on the continent, he might obtain at least the means of life from the friends, who, although they could not forgive his errors, might take compassion upon his distress. He accordingly endeavored to fly from Constantinople, and induced some Englishmen who happened to be there, to furnish money enough to effect his escape. But the plot was discovered. He was pursued, and taken at a small distance from Constantinople; his head was struck off upon the beach of the Bosphorus, and his body thrown into the sea.

THOMAS LEFROY.

THERE is something apparently irreconcilable between the ambition and avidity which are almost inseparable from the propensities of a successful lawyer, and any very genuine enthusiasm in religion. The intense worldliness of his profession must produce upon his character and faculties equally tangible results; and if it has the effect of communicating a minute astuteness to the one, it is not very likely to impart a spirit of lofty abstraction to the other. I can not readily conceive anything more sublunary than the bar. Its occupations allow no respite to the mind, and refuse it all leave to indulge in the aspirations which a high tendency to religion not only generates, but requires. They will not even permit any native disposition to enthusiasm to branch aloft, but fetter it to the earth, and constrain it to grow down. How can the mind of a lawyer, eddying as it is with such fluctuating interests, receive upon its shifting and troubled surface those noble images which can never be reflected except in the sequestered calm of deep and unruffled thought? He whose spirit carries on a continued commerce with the skies, is not only ill adapted to the ordinary business of society, but is scarcely conscious of it. He can with difficulty perceive what is going on at such a distance below him; and if he should ever divert his eyes from the contemplation of the bright and eternal objects upon which they are habitually fixed, it is but to compassionate those whom he beholds engaged in the pursuit of the idle and fantastic fires that mislead us in our passage through "this valley of tears."

To such a man, the ordinary ends of human desire must ap-

pear to be utterly preposterous and inane. The reputation which Romilly has left behind must sound as idle in his ears as the wind that shakes the thistle upon his grave. An ardent religionist must shrink from those offices which a lawyer would designate as the duties, and which are among the necessary incidents, of his profession. To play for a little of that worthless dross, which is but a modification of the same material upon which he must at last lie low, all the multiform variety of personation which it is the business of a lawyer to assume — to barter his anger and his tears — to put in mirth or sorrow, as it suits the purpose of every man who can purchase the mercenary joke or the stipendiary lamentation — these appear to be offices for which an enthusiastic Christian is not eminently qualified. Still less would he be disposed to misquote and to misrecite — to warp the facts, and to throw dust into the eyes of justice — to enter into an artificial sympathy with baseness — to make prostitutes of his faculties, and surrender them in such an uncompromising subserviency to the passions of his client, as to make them the indiscriminate utensils of depravity.

How fallacious is all speculation when unillustrated by example, and how rapidly these misty conjectures disappear, before the warm and conspicuous piety of the learned gentleman whose name is prefixed to this number of the "Sketches of the Irish Bar." This eminent practitioner, who has rivals in capacity, but is without a competitor in religion, refutes all this injurious surmise; and in answer to mere inference and theory, the sainted fraternity among whom he plays so remarkable a part, and who with emulative admiration behold him uniting in his person the good things of the Old Testament, with the less earthly benedictions of the New, may triumphantly appeal to the virtues and to the opulence of Mr. Sergeant Lefroy.

The person who has accomplished this exemplary reconciliation between characters so opposite in appearance as a devoted follower of the gospel and a wily disputant at the bar, stands in great prominence in the Four Courts, but is still more noted among "the saints" in Dublin, and I think may be

accounted their leader. These are an influential and rapidly-increasing body, which is not wholly separated from the church, but is appended to it by a very loose and slender tie. They may be designated as the Jansenists of the establishment; for in their doctrines of grace and of election they border very closely upon the professors of the Port-Royal. For men who hold in such indifference the pleasures of the world, they are singularly surrounded with its fugacious enjoyments. Encompassed with innocuous luxuries and innocent voluptuousness they felicitously contrast their external wealth with that mortification of the spirit of which they make so lavish a profession, and of which none but an irreclaimable skeptic could entertain a doubt.

At the bar they are to be found in considerable strength, and are distinguished among their brethren for their zeal in the advancement of the interests of religion and their own. They are, in general, sedulous and well-informed — competent to the discharge of ordinary business, and free of all ambition of display — a little uncandid in their practice, and careless of the means by which success is to be attained — pursuivants of authority and followers of the great — gentlemanlike in their demeanor, but not without that touch of arrogance toward their inferiors which is an almost uniform attendant upon an over-anxious deference to power — strong adherents to abstract principles of propriety, and vehement inculcators of the eternal rules of right, but at the same time not prodigally prone to any Samaritan sensibilities — amiable in their homes, and somewhat selfish out of them — fluent reciters of the Scriptures — conspicuously decent in their manners, and entirely regardless of the apple-wenches in the Hall.

The great prototype of this meritorious fraternity is Mr. Sergeant Lefroy. It would do good to the heart of the learned member for Galway to visit his stables on a Sunday. The generous animals who inhabit these exemplary tenements, participate in his relaxations, and fulfil with scriptural exactness the sacred injunction of repose. Smooth as their benevolent master, they stand in their stalls amid all the luxury of grain, and, from their sobriety and sleekness, might readily be recog-

nised as the steeds of a prosperous and pious man. It is one of the Sergeant's favorite canons that the lower orders of the animal creation should join in the celebration of the seventh day, and contribute the offering of their involuntary homage. Loosened himself from the rich wain of his profession, he extends a similar indulgence to the gentle quadrupeds, who are relieved on that day from the easy obligation of drawing one of the handsomest equipages in Dublin, to which, in all probability, the chariots of the primitive Christians did not bear a very exact resemblance.

If you should chance on Sunday to walk near the Asylum (a chapel in Leeson street, which, from the number of sanctimonious lawyers who inhabit it, is called "Swaddling bar"), you will see the learned Sergeant proceeding to this favored domicil of worship, near which he resides without any verification of the proverb, with a huge bible bound in red morocco under his arm. It is a truly edifying spectacle. A halo of piety is diffused about him. His cheeks, so far from being worn out by the vigils of his profession, or suffused with the evaporations of the midnight lamp, are bright, shining, and vermilioned. There is a gloss of sanctity upon them, which is happily contrasted with the care-colored visages of the profane. A serious contentedness is observable in his aspect, which indicates a mind on the best footing with Heaven and with itself.

There is an evangelical neatness in his attire. His neckcloth is closely tied, and knotted with a simple precision. His suit of sables, in the formality of its outline, bears attestation to the stitches of some inspired tailor who alternately cuts out a religion and a coat; his hose are of gray silk; his shoes are burnished with a mysterious polish, black as the lustre of his favorite Tertullian. As he passes to the house of worship, he attracts the pious notice of the devouter fair who flock to the windows to behold him; but, heedless of their perilous admiration, he advances without any indulgence of human vanity, and joins the convocation of the elect. There his devotion exhales itself in enraptured evaporations, which nothing but the recognition of some eminent solicitor in the adjoining pew can interrupt. The service being over, he proceeds to fill up the

residue of the day with acts of religious merit, and, as I have heard, with deeds of genuine humanity and worth.

With him, I really believe that upon a day which he sets apart from worldly occupation, with perhaps too much Puritan exactness, "works of mercy are a part of rest." While I venture to indulge in a little ridicule of his sabbatarian precision, which is not wholly free from that sort of pedantry which is observable in religion as well as in learning, I should regret to withhold from him the encomium which he really deserves. It has been whispered, it is true, that his compassion is, in a great degree, instigated by his theological predilections, and that it has as much of sectarianism as of philanthropy. But humanity, however modified, is still humanity. If, in leaving the chamber of suffering and of sorrow, he marks with a bank-note the leaf of the Bible which he has been reading at the bedside of some poorer saint, let there be given to his benevolence, restricted as it may be by his peculiar propensities in belief, a cordial praise. The sphere of charity must needs be limited; and of his own money, it is a clear truism to say, he is entitled to dispose as he thinks proper. With respect to the public money, the case is different; and upon the distribution of a fund of which he and certain other gentlemen of his profession are the trustees (so at least they have made themselves), there appears less right to exercise a summary discretion. I allude to the Kildare-street Association, of which he is one of the principal members.

The street from which this association has derived its name has brought the extremes in morals into a close conjunction. The Pharisees of Dublin have posted themselves in a most Sadducean vicinage, for their meetings are held beside the most fashionnble gaming-club* in Ireland. Loud indeed and long are the oratorical ejaculations which issue from the assemblies held under the peculiar auspices of the illuminated associates of the long robe. Here they hold out a useful example of prudence as well as of zeal, and indulge their generous propensities at little cost.

They receive, by parliamentary grant, an annual sum of six

* Daly's Club-House. — M

thousand pounds for the education of the poor;* and by a prodigious stretch of individual beneficence, a hundred guineas are added through a private subscription among the elect. In the allocation of this fund, they have established rules which are entirely at variance with the ends for which the grant has been made by Parliament. They require that the Bible should be read in every school to which assistance is given. With this condition the Roman Catholic clergy (and the chief among the Protestant hierarchy concur in their opposition) have refused to comply. The indiscriminate perusal of the Scriptures, unaccompanied by any comment illustrative of the peculiar sense in which they are explained by the Roman Catholic church, seems to be inconsistent with the principles in which that church is founded. The divines of Kildare street have, however, undertaken the difficult task of demonstrating to this obstinate and refractory priesthood that they understood the tenets and spirit of their religion much better than any doctor at Maynooth.† A consequent acrimony has arisen between the parties, and the result has been that the few channels of education which exist in the country are denied all supply from a source which has been thus arbitrarily shut up.

It is lamentable that, in the enforcement of these fanatical enactments, so much petty vindictiveness and theological acerbity should be displayed. The assemblies held at Kildare street, with the ostensible view of advancing the progress of intelligence among the lower classes, exhibit many of the qualities of sectarian virulence in their most ludicrous shape. A few individuals who presume to dissent from the august authorities who preside at these meetings, occasionally venture to enter their public protest against both the right and the propriety of imposing a virtually impracticable condition upon the allocation of the parliamentary fund. Lord Cloncurry implores them, with an honest frankness, to abandon their proselytizing

* This grant has been withdrawn for some years, and what is called the National has superseded the Kildare-street system of education. — M.

† The Roman Catholic College of Maynooth, endowed by Parliament, for the education of young men destined for the Church. They previously had to go to France or Italy for that purpose. — M.

speculation. O'Connell, too, who "like a French falcon flies at everything he sees," comes panting from the Four Courts, and gives them a speech straight. The effects produced upon the auditory, which is compounded of very different materials from the meetings which the counsellor is in the habit of addressing with so much success, are not a little singular.

Of the ingredients of this assembly it may not be amiss to say a few words. Aware of his purpose, the Saints employ themselves for some days before in congregating all those who hold his politics and his creed in their most special abhorrence. They accordingly collect a very motley convocation. In the background are posted a strong phalanx of the ragged and ferocious votaries of Mr. Cooper.* These persons belong to the lower classes of Protestants, of whose religion it would not be easy to give any more definite description than that they regard the Plunket-street orator as on a very close footing with the Divinity, and entertain shrewd doubts whether he be not the prophet Enoch himself. Adjoining to this detachment, which is posted as a kind of *corps de réserve*, whose aid is to be resorted to upon a case of special emergency, the Evangelicals of York street are drawn up. Next come a chosen band of Quakers and Quakeresses; and lastly are arrayed the Saints, more properly so called, with the learned Sergeant and divers oily-tongued barristers at their head. The latter are judiciously dispersed among the pretty enthusiasts who occupy the front benches, and whisper a compliment in the ear of some soft-eyed votary, who bears the seal of grace upon her smooth and ivory brow.

It may not be inappropriate to observe, that among the softer sex the Saints have made very considerable way. The cold worship of the establishment is readily abandoned for the more impassioned adoration which corrects the tameness and frigidity of the constituted creed. The latter is, indeed, a kind of Catholicism cut down; it is popery without enthusiasm; and to remedy its want of stimulus, an exciting system has been devised, the practices and tenets of which are endowed

* An "unco pious" pillar of the Protestant ascendency party in Dublin in 1823, when this paper was written. — M.

with a peculiar pungency. The Kildare street meetings are attended by some of the prettiest women in Dublin; and I should say, in justice to these tender devotees, that they appear there with a peculiar interest. There is a studied modesty in their attire that only excites the imaginations which it purposes to repress.

In this scene, thus strangely compounded, it is pleasant to see the Popish agitator engaged in a wrestle with the passions and antipathies of his hearers. The moment he rises, an obscure murmur, or rather growl, is heard in the more distant parts of the room. This discourteous sound proceeds from the Cooperites, who find it difficult to restrain themselves from any stronger expression of abhorrence toward this poisoned scion of St. Omer's.* The politer portion of the audience interfere, and the learned Sergeant entreats that he may be heard.

O'Connell proceeds, and professes as strong and unaffected a veneration for the Holy Writings as any of them can entertain; but at the same time begs to insinuate, that the Bible is not only the repository of Divine truths, but the record of human depravity, and that, as a narrative, it comprehends examples of atrocity, with the detail of which it is, perhaps, injudicious that youth and innocence should become familiar. Are crimes which rebel against nature, the fit theme of domestic contemplation? and are not facts set forth in the Old Testament, from the very knowledge of which every father should desire to secure his child? If he were desperate enough to open the Holy Writings in that very assembly, and to read aloud the examples of guilt which they commemorate, the face of every woman would turn to scarlet, and the hand of every man would be lifted up in wrath: and are the pages which reveal the darkest depths of depravity fitted for the speculations of boyhood and the virgin's meditations? Will not the question be asked, What does all this mean? and is it right that such a question should be put, to which such an answer may be given? The field of conjecture ought not to be opened

* O'Connell, it should be borne in mind, was originally intended for the priesthood, and received his early education at the college of St Omer, in France.—M.

to those whose innocence and whose ignorance are so closely allied. Sacred as the tree of knowledge may appear, and although it grow beside that of life, its fruits are full of bitterness and death.

Mr. O'Connell then insists that the Scriptures ought not to be forced into circulation, and that a bounty should not be put upon their dispersion among the shoeless, hoseless, shirtless, and houseless peasantry of Ireland. Give them work and food instead of theology. Are they capable of comprehending the dark and mysterious intimations of St. Paul, or St. John's Revelation? Would not the Apocalypse bother the learned Sergeant himself? and have not his poor countrymen enough to endure, and are they not sufficiently disposed to quarrel, without the additional incentive of polemics? Is it in a ditch school that his learned friend conceives that the mysteries of the Trinity, of the Incarnation, and not more embarrassing Sacrament, are to be discussed?

Kindling as he advances, the great demagogue throws himself into other topics, and charges his pious friends with a violation of their duty to the public, in the arbitrary imposition of conditions against which every Roman Catholic exclaims. He disputes their right to exercise a compulsion founded on their own fantasies in the execution of a solemn trust, and at last roundly insinuates that proselytism must be their object.

At this a mighty uproar ensues. The holy rabble in the distance send up a tremendous shout: their Bibles are brandished—their eyes gleam with a more deadly fire—and their faces become more formidably grim:—a thrill of indignation runs through the whole assembly—the spirit of Obadiah himself is moved within him, and even the ladies allow the fierce infection to make its way into their gentle and forbearing breasts. A universal sibilation is heard—mouths that pout and mince their orisons with Madonna sweetness are suddenly distorted—a hiss issues from the lips of roses, and intimates the venom that lurks beneath. O'Connell struggles hard and long, but he is at length fairly shouted down.

In the midst of this stormy confusion, the learned Sergeant appears, and the moment his tall and slender person is pre-

sented to their notice, a deep and reverential silence pervades the meeting. The previous tumult is followed by attention

"Still as night, or summer's noontide air"—

the ladies resume their suavity, and look angelical again; and the men chuckle at his anticipated triumphs over the far-famed missionary of Antichrist.

To pursue their champion through his victorious reply would swell my pages beyond their fitting compass; suffice it to say, that he satisfactorily demonstrates the propriety of teaching the alphabet from the Prophecies, and turning the Apocalypse into a primer. He points out the manifold advantages of familiarizing the youthful mind with the history of the Jews. The applauses of his auditors, and his own heated conviction (for he is quite sincere), inflame him into emotions which bear a resemblance to eloquence, and raise his language beyond its ordinary tone. The feelings nearest to his heart ascend to his mind, and communicate their effervescence. His phrase is struck with the stamp of passion. His eye becomes ennobled with better thought; he shuffles off for a moment the coil of his forensic habitudes. The universal diffusion of Christian truth fills him with enthusiasm. He beholds the downfall of Popery in the opening dimness of time. Every chapel is touched by that harlequin the fancy into a conventicle. The mass bells are cracked, and the pots of lustral water are shattered. A millennium of Methodism succeeds. A new Jerusalem arises. The Jews are converted (a favorite project with the Sergeant, who holds an annual meeting for the purpose); all Monmouth street is illuminated; its tattered robes are turned into mantles of glory. The temple is rebuilt upon an exact model of the Four-Courts. The Harlot of Babylon is stripped stark-naked, and the cardinals are given over to Sir Harcourt Lees. At length the vision becomes too radiant for endurance. A third heaven opens upon him, and he sinks exhausted by his enjoyments, and perspiring with ecstasy, amid the transports of auditors to whom he imparts a rapture almost equal to his own.

Let me conduct the reader from Kildare street to the Court

of Chancery. Here an utter transformation takes place in the person of the learned Sergeant, which almost brings his identity into doubt. Instead of eyes alternately veiled in the humility of their long and downcast lashes, or lifted up in visionary devotion, you behold them fixed upon the Chancellor, and watching with a subtle intensity all the shiftings of expression with which the judicial countenance intimates its approval or dissent. The whole face of the vigilant and wily pleader is overspread with craft. There is a lurking of design in every feature of his sharp and elongated visage. You will not perceive any nice play of the muscles, or shadowings of sentiment in his physiognomy; it is fixed, hard, and imperturbable. His deportment is in keeping with his countenance. He scarcely ever stands perfectly erect, and there is nothing upright or open in his bearing. His shoulders are contracted, and drawn in; and the body is bent, while the neck is protruded. No rapidity of gesture, or suddenness of movement, indicates the unanticipated startings-up of thought. The arm is never braced in the strenuous confidence of vigorous enforcement, with which Plunket hurls the truth at the Bench; but the long and taper fingers just tip the green table on which they are laid with a peculiar lightness. In this attitude, in which he looks a sophism personified, he applies his talents and erudition to the sustainment of the most questionable case, with as much alacrity as if weeping Innocence and virtuous Misfortune clung to him for support.

The doubtful merits of his client seem to give a new stimulus to his abilities; and if some obsolete form can be raised from oblivion, if some preposterous precedent can be found in the mass of antiquated decisions under which all reason and justice are entombed; or if some petty flaw can be found in the pleadings of his adversary, which is sure to be detected by his minute and microscopic eye, wo to the widow and the orphan! The Chancellor [Manners] is called upon to decide in conformity with some old monastic doctrine. The pious Sergeant presses him upon every side. He surrounds him with a horde of barbarous authorities; and giving no quarter to common sense, and having beaten equity down, and laid

simple honesty prostrate, he sets up the factious demurrer and the malicious plea in trophy upon their ruins. Every expedient is called into aid: facts are perverted, precedents are tortured, positions unheard before are laid down as sacred canons; and, in order to effect the utter wreck of the opposite party, deceitful lights are held up as the great beacons of legal truth. In short, one who had previously seen the learned Sergeant for the first time in a Bible Society, would hardly believe him to be the same, but would almost be inclined to suspect that it was the genius of Chicane, which had invested itself with an angelic aspect, and, for the purpose of more effectually accomplishing its pernicious ends, had assumed the celestial guise of Mr. Sergeant Lefroy.

Let me not be considered as casting an imputation upon this able, and, I believe, amiable man. In the exhibition of so much professional dexterity and zeal, he does no more than what every advocate will regard as his duty. I am only indulging in some surprise at the promptness and facility of his transition from the religious to the forensic mood; and at the success with which he divests himself of that moral squeamishness, which one would suppose to be incidental to his intellectual habits. Looking at him as an advocate, he deserves great encomium. In industry he is not surpassed by any member of his profession.

It was his good fortune that, soon after he had been called to the bar, Lord Redesdale should have been Lord Chancellor.*

* Lord Redesdale, born in August, 1748, was an excellent Chancellor — clear minded, straight-forward, learned, and patient. His name was John Freeman Mitford, and he was English by birth. He was educated at Oxford, studied the law, and became an eminent chancery pleader, after he was called to the bar. He wrote a book on Chancery Pleadings, which went through several editions. In 1790, he was made a Welsh judge (an office now abolished) and was knighted in 1793, when he was appointed Solicitor-General. He had to appear against Mr. Hardy, tried on a charge of high treason, and his opening speech was distinguished by moderation, good taste, and acuteness. In 1799, he succeeded Scott (Lord Eldon) as Attorney-General. He had been in Parliament since 1785, and, in 1801, was elected Speaker, the first and highest office a Commoner can hold in England. In 1802, on being appointed Lord Chancellor of Ireland, he was raised to the peerage, as Lord Redesdale. When Grenville and Fox formed their Coalition Ministry, in 1806, he was compelled to

That great lawyer introduced a reformation in Irish practice. He substituted great learning, unwearied diligence, and a spirit of scientific discussion, for the flippant apothegms and irritable self-sufficiency of the late Lord Clare. He entertained an honorable passion for the study, as well as for the profits of his profession; and, not satisfied with pronouncing judgments which adjusted the rights of the immediate parties, he disclosed the foundations of his decisions, and, opening the deep ground-work of equity, revealed the principles upon which the whole edifice is established.

The value of these essays delivered from the Bench was well appreciated by Mr. Lefroy, who, in conjunction with Mr. Schoales, engaged in the reports which bear their names, and which are justly held in so much esteem. Soon after their publication, Mr. Lefroy rose into business, for which he was in every way qualified. He was much favored by Lord Redesdale, and now enjoys the warm friendship of Lord Manners [1823], for whom he acts as confidential counsel.* His great familiarity with cases, and a spirit of peculiar deference to his Lordship, combined with eminent capacity, have secured for him a large portion of the judicial partialities. He is in the fullest practice, and, taking his private and professional income into account, may be well regarded as the wealthiest

resign, for, on taking leave of the bar, he said that "he had hoped to have ended his days in Ireland, but was not permitted. His consent to depart from England was yielded at the wish of some who now concurred in his removal: this he owned, he did not expect." On his return to England, he strongly opposed the ministry, particularly on Lord Grenville's motion for Catholic Emancipation. His future political course was anti-liberal. In Committees of Appeal, in the Lords, his opinion had great weight. He originated the humane measure for the relief of insolvent debtors. His death took place, on the 16th January, 1830. His only son, the present Lord Redesdale, is Chairman of Committees in the House of Lords, with a salary of four thousand pounds sterling a year, and also Deputy-Speaker of that house. His previous qualifications appear to have been — that he kept a pack of hounds! — M.

* In England and Ireland it is not uncommon for a Judge to employ a barrister in whom he has confidence, to assist him in looking up the law in difficult cases. The person employed is called the Judge's "Devil." The law officers of the Crown have like assistance, and the barristers who work for them reap a rich harvest, by being usually employed as junior counsel in the cases in which their superiors receive retainers and hold briefs. — M.

man at the Irish bar. His great fortune, however, has not had the effect of impairing in him the spirit of acquisition. He exhibits, indeed, as acute a perception of pecuniary excitement as any of his less devout brethren of the coif.

Sergeant Lefroy will, in all likelihood, be shortly raised to the Bench.* He has already officiated upon one occasion as a judge of assize, in consequence of the illness of some of the regular judges, and gone the Munster circuit. His opinions and demeanor in this capacity are not undeserving of mention: they have attracted much attention in Ireland, and in England have not escaped observation. Armed with the king's commission, he arrived in Limerick in the midst of those dreadful scenes, to which no country in Europe affords a parallel.† All the mounds of civil institutions appeared to have been carried away by the dark and overwhelming tide, which was running with a tremendous current. and swelling every day into a more portentous magnitude. Social order seemed to be at an end. A wild and furious population, barbarized by a heartless and almost equally savage gentry, had burst through the bonds by which its madness had been hitherto restrained, and rushed into an insurrection, in which the animosities of a civil were blended with the ferocity of a servile war. Revenge and hunger employed their united excitations in working up this formidable insanity. Reckless of the loss of an existence which afforded them no enjoyment, the infuriated victims of the landlord and the tithe-proctor extended to the lives of others the same estimate which they set upon their own; and their appreciation of the value of human breath was illustrated in the daily assassinations, which were devised with the guile, and perpetrated with the fury, of an Indian tribe. The whole country smoked with the traces of devastation—blood was shed at noon upon the public way—and crimes even more dreadful than murder made every parent tremble.

* He is now [1854], Chief-Justice of the Queen's Bench, having been appointed in 1852, when Mr. Blackburne was made Chancellor.—M.

† The agrarian disturbances of 1821, chiefly arising out of the demands on the Catholics for tithes, to support the rich Protestant Church.—M.

Such was the situation of the county of Limerick, when the learned Sergeant arrived to administer a remedy for these frightful evils. The calendar presented almost all the possible varieties which guilt could assume, and might be designated as a hideous miscellany of crime. The court-house exhibited an appalling spectacle. A deep and awful silence hung heavily upon it, and the consciousness that lay upon every man's heart, of the frightful crisis to which the county seemed rapidly advancing, bound up the very breath of the assembly in a fearful hush. The wretched men in the dock stood before the judicial novice in a heedless certainty of their fate. A desperate independence of their destiny seemed to dilate their broad and expanded chests, and their powerful faces gave a gloomy token of their sullen indifference to death. Their confederates in guilt stood around them with much stronger intimations of anxiety in their looks, and, as they eyed their fellow-conspirators in the dock, seemed to mutter a vow of vengeance for every hair that should be touched upon their heads. The gentry of the county stood in the galleries with a kind of confession in their aspect, that they had themselves been participant in the production of the crimes which they were collected to punish, but which they knew that they could not repress.

In this assembly, so silent that the unsheathing of a stiletto might have been heard amidst its hush, the learned Sergeant rose, and called for the piece of parchment in which an indictment had been written. It was duly presented to him by the clerk of the crown. Lifting up the legal scroll, he paused for a moment, and said: "Behold! in this parchment writing, the causes of all the misery with which the Lord has afflicted this unhappy island are expressed. Here is the whole mystery of guilt manifestly revealed. All, all is intimated in the indictment. Unhappy men, you have not the fear of God before your eyes, and you are moved by the instigations of the Devil." This address went beyond all expectation — the wretches in the dock gazed upon their sacred monitor with a scowling stare — the Bar tipped each other the wink — the parsons thought that this was a palpable interference with my

lord the bishop—the O'Gradys thrust their tongues into their cheeks, and O'Connell cried out, "Leather!"

I have no room to transcribe the rest of this remarkable charge. It corresponded with the specimen already given, and verified the reference to the fabulist. So, indeed, does every charge delivered from the Irish Bench. Each man indulges in his peculiar propensities. Shed blood enough, cries old Renault.* Be just, be humane, be merciful, says Bushe. While the learned Sergeant charges a confederacy between Beelzebub and Captain Rock, imputes the atrocities of the South to an immediate diabolical interposition, and lays at the Devil's door all the calamities of Ireland.

* This mild-tempered gentleman may be remembered as one of the characters in Otway's very tragic tragedy of "Venice Preserved."—M.

THOMAS GOOLD.

THE French Revolution had scarcely burst upon the world, and its portentous incidents were still the daily subject of universal astonishment or dismay, when there arose in the metropolis of Ireland a young gentleman, who, feeling jealous of the unrivalled importance which the Continental phenomenon was enjoying, resolved to start in his own person as an opposition-wonder. He had some of the qualifications and all the ambitious self-dependence befitting so arduous a project. Nature and fortune had been extremely kind to him. He was of a respectable and wealthy family. His face was handsome; his person small, but symmetrical and elastic, and peculiarly adapted to the performance of certain bodily feats which he subsequently achieved.

As to his general endowments, he was, upon his own showing, a *fac-simile* of the admirable Crichton. He announced himself as an adept in every known department of human learning, from the prophetic revelations of judicial astrology, and the more obsolete mysteries of magic lore, up to the lightest productions of the amatory muse of France. He professed to speak every language (except the Irish) as fluently and correctly as if he had been a native born. He played, sung, danced, fenced, and rode, with more skill and spirit than the masters of those respective arts who had presumed to teach him. He had a deep sense of the value of so many combined perfections, and acted under the persuasion that he was called upon to amaze the world.

His friends, who had perceived that beneath his incomprehensible aspirations there lurked the elements of a clever man,

recommended the Bar as a profession in which, with industry, and his £10,000, for he inherited about as much, and a rising religion, for he was a Protestant, he might fairly hope to gratify their ambition, if not his own. He assented; and submitted to pass through the preliminary forms—rather, however, under the idea, that at some future period it might suit his views to accept the chancellorship of Ireland, than with any immediate intention of squandering his youthful energies upon so inglorious a vocation. He felt that he was destined for higher things, and proceeded to assert his claims. He never appeared abroad but in a costly suit of the most persuasive cut, and glowing with bright and various tints. He set up an imposing phaeton, in which with Kitty Cut-a dash, of fascinating memory, and then the reigning illegitimate belle of Dublin, by his side, he scoured through streets and squares with the brilliancy and rapidity of an optical illusion. He entertained his friends, the choicest spirits about town, with dinners, such as bachelor never gave before—dishes so satisfying and scientific, as to fill not only the stomach, but the mind—claret, such as few even of the Irish bishops could procure, and champaigne of vivacity exampled only by his own. He furnished his stable with a stud of racers; and, if I am rightly informed, he still, half-laughing, half-wondering at his former self, recalls the times when mounted upon a favorite thoroughbred, and flaming in a pink-satin jockey-dress, he distanced every competitor, and bore away the Curragh cup.*

I have spoken of his dancing. Tradition asserts that it was not confined to ball-rooms. I am told that at the private theatre in Fishamble-street, a place in those days of much fashionable resort, he was known to slide in between the acts, in the costume of a Savoy peasant, and throw off a *pas seul* in a style of original dexterity and grace, which, to use an Irish descriptive phrase, "elicited explosions of applause from the men, and ecstatic ebullitions of admiration from the ladies." He was equally remarkable for his excellence in the other manly ex-

* The principal races in Ireland take place upon the Curragh of Kildare at once an equivalent for Doncaster and Newmarket, Epsom and Ascot, with Goodwood and—the rest.—M.

ercises. He thought nothing of vaulting over four horses standing abreast. He was paramount at foot-ball; and astonished and won wagers from the Bishop of Derry himself (the noted Lord Bristol),* who was supposed to be the keenest judge in Ireland of what the toe of man could achieve.

Before assuming the forensic robe, our aspirant for renown set out upon a Continental tour; and according to his subsequent report, although he travelled in strict *incognito*, gathered fresh glory at every post-town through which he was whirled along. After a considerable stay at Paris, where, however, he arrived too late to stop the revolutionary torrent, he passed on and visited several of the German courts—gave "travelling opinions" upon the course of policy to be respectively pursued by them at that critical juncture, and afterward satisfied himself that the most important events that followed were mainly influenced by his timely interposition. He left Germany with some precipitation. The rumor ran that there were state-reasons for his departure. The subject was too delicate to be revealed in all its circumstances, but upon his return to Ireland his friends heard in broken sentences of a certain Palatine princess—the dogged jealousy of

* The Earl of Bristol, who was also Bishop of Derry (the income of which was twenty thousand pounds sterling a year, at that time), was a very strange character. He was born in 1730, and died in 1803—having spent the last years of his life in Italy, quite unmindful of his episcopal duties to his diocese—but sacredly receiving its immense revenue. He bitterly opposed the Union, and went down to the House of Lords, in a coach drawn by eight horses, to vote against it. He was son of the Lord Hervey (Keeper of the Privy Seal, in 1740), to whom, thinking highly of his intellect and learning, Bishop Middleton dedicated his "History of the Life of Cicero," while on the other hand, he comes down to us, as the Sporus of Pope's severe Satire, in which his character is thus limned:—

> "Eternal smiles his emptiness betray,
> As shallow streams run dimpling all the way;
> Whether in florid impotence he speaks,
> And, as the Prompter breathes, the puppet squeaks.
> Eve's tempter, thus the Rabbins have exprest—
> A cherub's face, a reptile all the rest,
> Beauty that shocks you, parts that none can trust,
> Wit that can creep, and pride that licks the dust."

In June, 1826, the Earldom of Bristol was raised into a Marquisate.—M.

royal husbands—the incorrigible babbling of maids of honor—muttered threats of incarceration—and a confidential remonstrance on the part of a very sensible man, a member of the Aulic council, respecting the confusion that might hereafter ensue, should it come to be suspected that the stream of reputed legitimacy had been reinforced by a tributary rill of Munster blood.

Upon his reappearance in Ireland, our prodigy, exulting in the fame of his Continental exploits, was about to commence a new course of wonders in his native land, when an unforeseen occurrence in the form a dishonored check upon his banker came to

> ———"repress his noble rage
> And freeze the genial current of his soul."

He discovered that he was a ruined man. The patrimonial ten thousand pounds which had given an *eclat* to all he did, had vanished. The road to glory still lay before him, but he was without a guinea in his pocket to pay the travelling expenses.

In this emergency there were three courses open to him—to cut his throat—to sell his soul to the Protestant ascendency—or to be honest and industrious, and ply at his profession. He chose the last—and (the most wondrous thing in his wonderful career) it came to pass, that notwithstanding the many apparent disqualifications under which he started, he rose, and not slowly, to an eminence which no one but himself would have ventured to predict. He is now "*quantum mutatus ab illo*," a very able and distinguished person at the Irish Bar, Mr. Sergeant Goold.

If I have ushered in my notice of this gentleman with an allusion to the freaks of his youth, of which, after all, I may have received an exaggerated account, it is because I consider it to be infinitely to his praise that he should have so manfully surmounted his early pretensions and disappointments, as the progress of his professional history has evinced. The study of "four-day rules," and "notices to quit," demands no extraordinary reach of intellect; but the transition from the airy

speculations of a sanguine and ambitious disposition to these unimaginative details is one the most abrupt and mortifying that ever tried the elasticity and patience of the mental powers.

Mr. Goold, notwithstanding the friskiness and levity of his external deportment, had the inward energy to face and surmount the repelling task. He plunged with a hardy and exploring spirit into the wilderness of law—burst through its perplexities, drank freely, and made no wry faces, from its bitter springs; and by a perseverance in patient and solitary labor, entitled himself to more substantial returns than that applause which he had once prized above every earthly compensation.

Some time after Mr. Goold had formed this meritorious resolution, an incident befell him, of which it is difficult to say whether it was most calculated to quicken or to damp his newborn ardor for laborious occupation. When Burke's celebrated "Reflections on the French Revolution" appeared, the author and the book, as all my readers know, were vigorously assailed. Mr. Goold, considering the subject not unworthy of his powers, had thrown himself into the controversy. He was at the time in a frame of mind befitting a sturdy partisan. He had recently returned from Paris, where, during a residence of some time, he had been an eyewitness of the disgusting clamor and excesses of the period. He was also still smarting from the recollection of certain rude *accolades* that had been forcibly imposed upon himself by sundry haggard Naiads of the *Halle*—a perversion of the authentic rights of men and of women, against which, when he came to record the fact, he did not fail to protest with genuine antigallic indignation. His pamphlet was entitled, characteristically enough, a "Defence of Mr. Burke's work 'against *all* his opponents.'" The number that had already declared themselves in print amounted to ten—two anonymous ladies, and eight gentlemen—among whom were Doctors Towers, Price, and Priestley.*

* Eminent dissenters, ultra-liberal in politics. Dr. John Towers, was a Unitarian preacher, and wrote several biographical and political works. He died in 1799, aged sixty-two.— Dr. Richard Price, celebrated for his ability in arith

The defender of Burke took each of them in detail. The gentlewomen he despatched with a good deal of gallant forbearance; but for the doctors and their male auxiliaries he had no mercy. He belabored them with unsparing logic and more relentless rhetoric, until every sign of sense and argument was beaten out of them, and proclaimed his victory by a final flourish of trumpets to the renown of Burke. "I never, says he, saw Mr. Burke but once. I saw him from the gallery of the House of Commons. I know no man that knows him. I probably shall know no man that knows him. In a few weeks I leave this country, perhaps never to return. I expect but little from any man. I shall never ask any thing. In whatever country I may live, in whatever situation I may be placed, I shall look down on grandeur, I shall look up to greatness. Nor wealth, nor rank, nor power, nor influence, shall bend my stubborn neck. I am prostrate before talents; I am prostrate before worth; my admiration of Mr Burke amounts almost to enthusiasm," &c.

This was pretty strong incense, and there was more of the same kind; but I am quite certain that it was offered without the remotest expectation of any return in either praise or profit; and as to the writer's professions of independence, though very hazardous in so young an Irishman, they have been amply justified by his subsequent life. The pamphlet,

metical calculations, was consulted by William Pitt, as to the best mode of paying off the national debt, and suggested the Sinking Fund, which Alison thinks would have affected its purpose, if strictly adhered to and persevered in. When the French revolution broke out, Dr. Price, who had charge of an Arian congregation, near London, preached a sermon "On the Love of Country," in which he hailed the French revolution as the commencement of a glorious era. Burke, in his celebrated Reflections on that event, severely animadverted on Price and his opinions. Dr. Price died in 1791, aged sixty-eight. — Dr. Joseph Priestley, a dissenting minister, well known as a political writer and experimental philosopher, also was an ardent admirer of the French revolution, and a mob at Birmingham, where he resided, burned his house, library, manuscripts, and scientific apparatus and instruments, his life being in imminent danger also. He retired to the United States in 1794, and died at Northumberland, in Pennsylvania, in 1804, aged seventy-one. His published works extend to nearly eighty volumes. — M.

however, taken altogether, attracted the notice and excited the gratitude of Burke.*

The fact is rather curious, as illustrating the predicament of

* By the common consent of competent Judges, of all shades of politics, Burke was one of the greatest men at a period in British history, when eminence was less frequent than at present. Dr. Johnson, who knew him well, said, "Edmund Burke in discourse, calls forth all the powers of my mind; were I to argue with him on my present state, it would be the death of me." Somebody asked him whether he did not think that Burke resembled Cicero, and Johnson answered, "No, sir: Cicero resembles Burke." At another time he said that no person of sense ever met Burke under a gateway to avoid a shower, who did not go away convinced that he was the first man in England.—Fox, after their quarrel, publicly confessed that all he had ever read in books, all that his fancy had imagined, all that his reasoning faculties had suggested, or his experience had taught him, fell far short of the exalted knowledge which he had acquired from Burke.—Grattan, when studying law in London, often heard Burke speak (in 1772, ere he had reached middle life), and said he was ingenious, oratorical, undaunted; boundless in knowledge, instantaneous in his apprehensions, abundant in his language, speaking with profound attention and acknowledged superiority.—Pitt characterized his remarks as the overflowing of a mind, the richness of whose wit was unchecked for the time by its wisdom.—Cazales declared that Burke possessed the sublimest talents, the greatest and rarest virtues, that ever were enshrined in a single character.—Gerard Hamilton, when at variance with him, protested that he understood everything except gaming and music.—Windham said that it was not among the least calamities of the times that the world had lost him.—Crabbe speaks of the vastness of his attainments and the immensity of his varied powers.—Lord Thurlow stated that Burke would be remembered with admiration when Pitt and Fox would be comparatively forgotten.—Goldsmith, speaking of John son, asked "Does he wind into a subject as Burke does?"—Learning, said another admirer, waits upon him, like a handmaid, presenting to his choice all that antiquity had called or invented.—As a public speaker, he was bold and forcible, his delivery easy and unembarrassed. He spoke with a strong Irish accent, but his manner was inelegant. He was an orator, but not a debater. He crowded his speeches with metaphors, ornaments, and classical allusions, until the subject-matter was hidden beneath the illustrations. His eloquence was too rich for the bulk of his auditors, consisting of plain country-gentlemen —who sneered at what they did not understand. In a word, he astonished rather than convinced. His published must not be taken as his spoken speeches—for when they came to be printed he rewrote and corrected them so much that the compositors usually found it easier to distribute the type and reset the whole matter than to attempt to alter it on the stone or in the galley! Latterly, his parliamentary speeches did not at all strike his hearers—except for their prolixity—they were spoken essays, and when he rose to deliver one of them, two thirds of the members would retire to take refreshments at Bellamy's.

feeling in which that eminent person's new theories and new connections had involved him. He had just quarrelled with his old political associates for adhering to the spirit of the

Hence he was called The Dinner Bell. Goldsmith, who knew and loved him, described him as one

> "Who, born for the universe, narrowed his mind,
> And to party gave up what was meant for mankind:
> Who, too deep for his hearers, still went on refining,
> And thought of convincing when they thought of dining."

General Fitzpatrick, speaking of Burke, said, "Ask any well-informed public character, who is the best-informed man in Parliament, and the answer will certainly be, Burke; inquire who is the most eloquent or the most witty, and the reply will be, Burke; then ask who is the most tiresome, and the response still will be, Burke—most certainly, Burke." Born in Ireland, on the first day of 1730, Burke went to England, at the age of twenty-three, to study law. His family chiefly supported him in London, but he also earned money by his pen. His "Vindication of Natural Society," and his "Treatise on the Sublime and Beautiful," published in 1756, introduced him into literary society. Nine years after, he became private secretary to the Premier (the Marquis of Rockingham), who brought him into Parliament. Then commenced that long and brilliant career which is part of English history. His first effort, as a politician, was in favor of the American colonies, and, for several years, he opposed the obnoxious measures of the Government. He joined Fox in opposing Lord North's administration, which they broke up—Burke taking office under the new Ministry, retiring on the sudden death of Lord Rockingham, and returning under the Coalition of Fox and North. At the age of five-and-twenty, Pitt became Premier, and thenceforth Burke was exiled from office. This was in 1783, and Burke continued a mere opposition-member until 1786, when he became principal on the impeachment of Warren Hastings. During the insanity of George III. in 1788, Burke joined Fox in asserting the claims of the Prince of Wales to a regency without restrictions. In 1789, when the French Revolution broke out, and his friends hailed it as the dawn of freedom for the nations, Burke threw himself headlong into violent opposition, renounced all connection with Fox, published his "Reflections on the French Revolution," which the European despots had translated into many languages, while George III. presented copies of it to his particular friends, as "a book which every gentleman ought to study." The work was so elaborated that no fewer than ten or twelve proofs were destroyed before he could please his own fastidious taste. He continued *possessed* with an anti-Gallican feeling during the remaining few years of his life. In 1795, he obtained a State-pension of twelve hundred pounds sterling a year, afterward raised to three thousand seven hundred pounds sterling, with the remainder to his widow, who survived him very many years. It is impossible to say whether an understanding that he was to be so rewarded made Burke write down (as far as he could) the principles of liberty which he had avowed and defended for thirty years, but Sir Philip Francis

principles he himself had taught them. Still professing the tenets of "an exalted freedom," he was pouring forth curses and derision upon one of the most provoked and necessary acts of freedom which the world had ever witnessed; and such is the sophistry with which a favorite passion can practise upon the strongest intellect, he would fain persuade himself that he was consistent to the last, and that doctrines which were hailed with joy in every despotic *coterie* of Europe, were the only genuine and unadulterated maxims of a British Whig.

But though bold even to overbearing in his public assertions of his personal consistency, it is not unreasonable to surmise that, in his private hours, his heart was ill at ease. He must have felt that his fame, if not his conscience, was in want of external support. Certain, however, it is, that he grasped at the voluntary offer with something like the sign of a sinking spirit. The tributes of ardent admiration and respect so profusely scattered through his young countryman's pamphlet touched the veteran's feelings, and lived in his memory upon the first occasion that offered of marking his sense of the obligation.

The opportunity seemed to present itself upon the appointment of Lord Fitzwilliam* in 1795 to the government of Ire-

(the reputed author of "The Letters of Junius") used to say that if the friends of peace and liberty had subscribed thirty thousand pounds sterling to relieve Burke's pecuniary embarrassments, there would have been no war against the French Revolution. Burke's writings vindicated Pitt's policy of war with France, to restore "legitimacy," and this war added six hundred million pounds sterling to the National Debt of England! Burke died on July 8, 1797, aged sixty-seven.—M.

* The Earl Fitzwilliam, nephew of the Marquis of Rockingham (who was Prime Minister in 1765–'6, and again in 1782), entered the House of Commons early, and steadily adhered to the principles of Fox, until the French revolution, when he seceded, as Burke did, and consequently pleased Pitt, who admitted him into the Cabinet in 1794, and sent him as Viceroy to Ireland, in the following year. He was too liberal for the office and was soon recalled. But he supported Pitt's war with France. In 1798–'9, he was appointed Lord Lieutenant of the West Riding of Yorkshire, but was dismissed, in 1819, because he had attended a public meeting held to petition for an inquiry into the conduct of the Manchester magistrates at what is called "The Peterloo Massacre." He had previously formed one of "All the Talents" ministry, in 1806. His death took place in 1833, in his seventy-fifth year.—M.

land. One evening Mr. Goold was sitting alone in his lodging, and indulging (if it can be called an indulgence) in those depressing reflections upon his future prospects with which the stoutest-hearted junior barrister is occasionally visited, when an English letter was put into his hand. It was from Edmund Burke. It imported that "he had not forgotten Mr. G.'s admirable pamphlet, and that he was most desirous to advance, as far as it in his power lay, the author's fortunes. An occasion appeared to offer. The new viceroy of Ireland was coming, preparatory to his departure for that country, to pass some days at Beaconsfield; and if the demolisher of the ten opponents could contrive, without loss of time, to cross the Channel, and meet his lordship at Mr. Burke's, the happiest results might be anticipated." None but those who know the briskness of Mr. Goold's temperature, even at the present day, can well conceive the delicious perturbation of spirit that must have ensued. The lustre of the invitation itself—the expected glory of being present at conferences where the approaching redress of Irish wrongs was to be freely canvassed —the elevating prospect of being himself officially selected to contribute the aid of his attainments to the labors of a patriotic administration—these and many other bright concomitants had just arranged themselves into a picture almost too dazzling for mortal eye, when one miserable reality intervened like an angry cloud, and the gorgeous imagery faded away into melancholy dimness.

He was under a financial incapacity of complying with the generous proposal of Mr. Burke. He was pondering over this mortifying obstacle, when one of his friends, the late Sir Charles Ormsby, entered the room.

"Was there ever such an unlucky fellow?" said he, handing the letter to Sir Charles. "See there, what an opportunity of making my fortune presents itself; and yet, for want of about a hundred pounds to go over and make a proper appear ance at Beaconsfield, I must let it slip."

Sir Charles was not in those days as rich as he subsequently became, but his father was a wealthy and good-natured man

"Go to my father," said he—"show him the letter, state your situation, and I undertake to say that he'll accommodate you."

The experiment succeeded. Mr. Goold flew to Beaconsfield; was too late to catch the Viceroy, who had already set out for Ireland; passed some days with Burke; reposted to Dublin, the bearer of a powerful introduction to the favor of Lord Fitzwilliam; was graciously received, and would in all likelihood have been included in the political arrangements then in progress: but the Beresfords were at work on the other side of the water;* their fatal counsels prevailed; the patriotic Viceroy was recalled; the doom of Ireland was sealed, and the subject of the present sketch reconsigned to the hard destiny of a legal drudge. Fortunately, however, and honorably for himself, his spirit was too buoyant to sink beneath the disappointment. He betook himself with unabated ardor to his former pursuits. His professional acquirements and efficiency became known; clients poured in upon him; in a few years he was invested with a silk-gown; and had not his political integrity interfered, he would, if current report be true, have before this been seated on the bench.

Sergeant Goold's practice has been and still is principally in the *nisi-prius* Courts. I have not much to say of his distinctive qualities as a lawyer. He is evidently quite at home in all the points that come into daily question, and he puts them forward boldly and promptly. Here, indeed, as elsewhere, he affects a little too much of omniscience; but unquestionable it is that he knows a great deal. There is not, I apprehend, a single member of his profession less liable to be taken by surprise upon any unexpected point of evidence, or practice, or pleading, the three great departments of our law to which his attention has been chiefly directed. But there is no want of originality in his appearance and manner. His person is below the middle size, and, notwithstanding the wear

* The Beresfords, members of the Marquis of Waterford's family, took an active and intolerant part in governing Ireland for forty years before the Union. The cruelties of John Claudius Beresford, during the revolt of 1798, were notorious, enormous, and wanton—almost beyond credibility—M.

and tear of sixty years, continues compact, elastic, and airy.* His face, though he sometimes gives a desponding hint that it is not what it was, still attests the credibility of his German adventures. The features are small and regular, and keen without being angular. His manner is all his own. His quick blue eye is in perpetual motion. It does not look upon an object; it pounces upon it. So of the other external signs of character. His body, like his mind, moves at double-quick

* Charles Phillips describes Goold and Grady as the established and recognised gladiators "of the Irish Court of Common Pleas, over which presided the punning Lord Norbury, with the glow of Bacchus and the cheeks of Æolus"—his Lordship, it should be noted, always puffed, like an asthmatic locomotive, before uttering a joke. "Goold was a little man, well formed, and of considerable accomplishments. Sensitive and fastidious, he acknowledged but one earthly model of perfection, which, however, he viewed with Eastern idolatry, and that was—himself! With the versatility of a Crichton and the politeness of a Chesterfield, all airs and graces, master of everything, and neglecting nothing, he was "himself alone" unapproached and inimitable, *judice* Tom. He not only argued, declaimed and philosophized, better than any one else, but he sang, he danced, he rode, he even brushed his hair so as to set rivalry at defiance. Guileless and harmless vanity! counterpoised by a thousand sterling qualities. He was an excellent Nisi-Prius fencer, and even rose at times to a high order of eloquence. Had Goold been contented with the world's estimate of him as he really was, all would have admitted him to be an eminent man. But he sharpened censure and excited ridicule by aspiring to be what no man ever was—in every art, trade, science, profession, accomplishment, and pursuit under the sun, a *ne plus ultra*. The pitch to which he carried this foible was incredible. Expatiating one day on the risk he ran from a sudden rise of the tide when riding on the North Strand, near Dublin, he assured his hearer, that "had he not been the very best horseman in existence, he must have been drowned; in short never was human being in such danger." His friend replied, "My dear Tom, there was one undoubtedly in still greater, for a poor man was drowned there this morning." "By heaven! sir," bellowed Goold, "I might have been drowned if *I chose*." There is a portrait of Goold in Barrington's Secret Memoirs of the Union (taken about the year 1810), which shows him with handsome and well-cut features, and a very intellectual expression. My own recollection of Goold dates as far back as 1827, when he went the Munster Circuit. I saw him at the Cork assizes. He was then a whitehaired man, small in person, neat in attire, with that certain elegance of manner rarely acquired without familiar mingling in good society, a clear complexion, and very keen eyes. His voice was feeble, and his energy appeared extinct. He was then one of the King's Sergeants, which gave him precedence at the bar, and the lead in all the Crown cases. His income continued, therefore, long after his actual ability to earn it had declined and faded.—M.

time. He darts into court to argue a question of costs with the precipitation of a man rushing to save a beloved child from the flames. This is not trick in him, for among the collateral arts of attracting notice at the Irish bar is that of scouring with breathless speed from court to court, upsetting attorneys' clerks, making panting apologies, with similar manifestations of the counsel's inability to keep pace with the importunate calls of his multitudinous clients.

Sergeant Goold stands too high, and is, I am certain, too proud to think of resorting to these locomotive devices. His impetuosity is pure temperament. In the despatch of business, more especially in the chorus-scenes, where half-a-dozen learned throats are at once clamoring for precedence, he acquits himself with a physical energy that puts him almost upon a par in this respect with that great "lord of misrule" O'Connell himself.

He is to the full as restless, confident, and vociferative, but he is not equally indomitable; and I have some doubts whether with all his bustle and vehemence, he ever ascends to the true sublime of tumult which inspires his learned and unemancipated friend. The latter, who is in himself an ambulatory riot, dashes into a legal affray with the spirit of a bludgeoned hero of a fair, determined to knock down every friend or foe he meets, "for the honor of old Ireland." He has the secret glory too of displaying his athletic capabilities before an audience, by many of whom he knows that he is feared and hated. Sergeant Goold, who has not the same personal incentive, is more measured and courtly in his uproar, and will often, long before his lungs are spent, as if his dignity had taken a sudden fright, declare off abruptly, and invoke the talismanic intercession of the Bench.

Let not the unlearned reader imagine that I am affecting a tone of idle levity. These forensic rants are of daily recurrence; and to have nerves to withstand them is a matter of no little moment to barristers and clients. It is within the sanctuaries of justice that much of the rough work of human concerns is transacted; and the subjects, to be handled well, must be roughly handled. The knave must be vehemently ar-

raigned; the injured clamorously vindicated; the factious and dishonest witness tortured and stunned until his soul surrenders the hidden truth. The man who can do this is of value in his calling; but should his taste recoil from the rude collision, he may still attain to legal distinction by other and less rugged paths—but as he values his interest and fame, let him resign all hope of making a figure in a *nisi-prius* Court.

Sergeant Goold passes in the Irish Courts for an eloquent advocate. In one sense of the word he is so; for though, far from being a pleasant speaker, and having manifold defects of delivery and action, he still contrives to make a very strong impression upon a jury, where feeling is to be excited, or the understanding forcibly impelled in a particular direction. His faults of manner are angularity, abruptness, and violence. His articulation is rapid and unmusical. His diction has no equability of flow—it bursts out in irregular spirts. But he has a clear head, much experience of human character and passion, and infinite reliance upon himself. His tones, however faulty, are fervid and sincere. His sentiments, though often extravagantly delivered, are bold and natural, and reach the heart. I would describe his ordinary style of addressing a jury by saying, not that it deeply moves them, for that wonld imply a more regular and finished order of speaking, but that it "stirs them up." In a word, he bustles through an appeal to the intellect or passions with great ability. He commits many faults of taste, but no essential breach of skill.

The jury are often startled by his detonations, and often join in the general smile that follows those little personal episodes into which the learned Sergeant occasionally diverges; but, after all, they see that they have before them a man who knows well what he is about. They listen to him with attention and respect; never suspect that he has the slightest design to puzzle them; and, when they retire to cool their fancies in the jury-room, feel extremely disposed to agree that the views he had thrown up to them were founded in the justice and good sense of the case.

Mr. Goold sat in the last session of the Irish Parliament. The occasion of his presence there is much to his honor. I

have not heard by what particular influence he was returned. It is sufficient to state that he had already earned a character for talent and public integrity, which pointed him out as a fit person to co-operate in defending the last pass of the Irish Constitution against the meditated surrender by its perfidious guardians.

The secret history of the Union has not yet transpired in all its ignominious details. A work professing to perform such an act of historical vengeance, and emanating from an eye-witness, was undertaken about eighteen years ago. A kind of prefatory volume, taking up the subject at an ominous distance, was published as a specimen. The continuation, or, more strictly speaking, the commencement, was anxiously expected. I have no authority for asserting that there was any tampering with the writer's indignation; but it may be mentioned as a curious coincidence, that the suspension of his design was co-eval with his appointment to be Judge of the Court of Admiralty in Dublin, over which, if there be any truth in the old maxim, "*Major è longinquo reverentia*," he must be allowed to have presided in a style of the most imposing dignity. He has for many years been a resident of France; sometimes, no doubt, sojourning in the Isle of Oleron, where our sea-laws were originally compiled and promulgated by Richard I., and latterly in the town of Boulogne-sur-Mer, where his marine meditations must be greatly assisted by the visible aspect of "things *flotsam*, *jetsam*, and *ligan*," to say nothing of the cheering influence of an occasional wreck, in reminding him of the convenience of judicial functions that can be performed by deputy.*

* Mr. Sheil appears to have literally stated this "without the book." The publication to which he alludes, was in quarto form, with several fine portraits well engraved, and as many as six parts or *livraisons* were published, making three hundred and two pages in all. The first part appeared in June, 1809 (with a preface signed by the author, who dated from Merrion Square, Dublin), and the sixth part was published in March, 1815. The actual title of the book is as follows: "The Historic Memoirs of the Legislative Union between Great Britain and Ireland; by Sir Jonah Barrington, one of his Majesty's Council at Law, Judge of the High Court of Admiralty in Ireland, and Member of the late Irish Parliament for the Cities of Tuam and Clogher." In point of fact

Had Sir Jonah Barrington persevered in his design, he would have had some strange things to tell of the honorable

he was made Judge two years before the appearance of the first number of his book. There was an interval of seventeen years between Part VI. and the conclusion. He stated that this delay was caused, not by himself, as the book had long been completed, but by three several booksellers, who undertook to publish it, having become bankrupt. As the republication, in New York, of the clever and popular "Personal Sketches of his Own Times," has recently drawn attention to Sir Jonah Barrington, I shall give his memoir, which is not to be found in any Biographical Dictionary. The *Gentleman's Magazine* (of London) when it announced his death, promised a biography, but never gave one.—Sir Jonah Barrington, born in Ireland, in 1767, was called to the Irish Bar in 1788, entered Parliament as member for Tuam, in 1790, and directly opposed Grattan and Curran—a proceeding which, in riper years, he described as "true arrogance." In 1793, as a reward for his subservience to the Government, he was appointed to a sinecure in the Dublin Custom-House, worth one thousand pounds sterling a year. He was also made King's Counsel, though only five years at the bar. He says that, in 1799, Lord Castlereagh promised to make him Solicitor-General, but afterward refused to do so, on finding that he was resolved to oppose the Union. He stood candidate for Dublin, in 1803, where he was popular because he had latterly opposed the hated Lord Clare, and the first four persons who voted for him were Grattan, Curran, Ponsonby, and Plunket; after a prolonged contest of fifteen days (the time of polling is now limited to one) he lost his election. He was made Judge of the High Court of Admiralty in Ireland, and knighted in 1807. He published a portion of his "Historic Memoir of the Union," between 1809 and 1815, and went to France in the latter year, being in Paris during Napoleon's "Hundred Days." From that time, owing to pecuniary difficulties, he continued to reside in France, discharging the duties of his judgeship by deputy. In 1827, he published the "Personal Sketches of his Own Times," which has had great popularity wherever English books are read. In the House of Commons, in 1830, a serious charge of malversation (applying to his own use funds belonging to private parties, under the Admiralty laws), and it was reported to the House by a committee of inquiry that the charge was proven. On this, both Houses of Parliament joined in an address to the Crown to remove him from his high office—he had failed in an attempt to disprove the charge in person before the House of Lords—and he was removed accordingly. Shortly after this, he published the remainder of his suspended Memoirs and Anecdotes of the Union, and its details are the fullest and most exact yet made public. He died at Versailles, April 8, 1834. Barrington was a witty, shrewd, and companionable man. His personal sketches are full of lively incident. Of his oral *facetiæ* the following is a specimen: Once, amid the ruins of a cathedral, somebody asked what the *nave* of the church was? "The incumbent, to be sure," said Barrington. When the clergyman heard of it he observed that "Sir Jonah had given a *key* (k) to the question."—M.

gentlemen who sold their country. There was much, however, that could not be concealed. The measure, smoothed and varnished as it might be to meet the public eye, retained all the coarse and disgusting outlines of an Irish job. It was proposed in 1799, and rejected.

The following year, the proposition was renewed and carried. In the interval, wonders had been done in the way of an amicable arrangement. The predatory rights of an Irish representative were duly considered and admitted. A vote and its concomitant privileges were not now to be estimated at the old market-price of seven years' purchase, but, being to be bought up in perpetuity, a just and commensurate equivalent was allowed to meet the increased cost of a majority, all kinds of compensation in possession and reversion were forthcoming.* Peerages were given down. The Bench was mortgaged. The earnest of a pension was advanced to soothe the impatience of the reversionary placeman. Boroughs were declared to be private property, and so excellent and certain a provision for the patron's younger children, that it would be a violation of all justice to exact their gratuitous surrender. Their pecuniary value was ascertained, and the public faith solemnly pledged to treat a customary breach of the constitution (a title to property of which Blackstone never dreamed) as one that by "the courtesy of Ireland" gave the prescriptive offender an equitable interest in its continuance.†

* Numerous anecdotes of the legislative higgling on this occasion are current in Ireland — some of them sufficiently dramatic. One member, for example, tendered his terms. They were accepted, and a verbal promise given that the contract should be faithfully observed. He insisted upon a written guaranty. This was refused, and the treaty broken off. The member went down to the house, and vented a virtuous harangue against the proposed measure. As soon as he sat down, the written security was handed to him. He put it in his pocket, voted against his speech, and was in due season appointed to a lucrative office which he still enjoys, defying the historian and laughing at the notion of posthumous fame.

† By the Act of Union, eighty-four boroughs were disfranchised. Remuneration, to the amount of fifteen thousand pounds sterling each, was voted to the patrons. In the debate on the latter point, one of Lord Castlereagh's arguments was that the patrons could not have been brought to enter upon "a cool examination," of the general question, had not their fears for their personal in

These are but a few specimens of the means resorted to in order to precipitate a measure that was announced in all the pomp of prophetic assertion, as the sure and only means of conferring prosperity and repose upon the Irish nation: and were it not for certain counteracting circumstances, such as—the nightly incursions of Captain Rock; the periodical eclipses of the Constitution by the intervention of the Insurrection Act; a pretty general insecurity of life and property; the decay of public spirit; the growth of faction; a weekly list of insolvencies, murders, conflagrations, and letters from Sir Harcourt Lees, unprecedented in the annals of a happy country—but for these, and similar visitations, all originating in the comprehensive and inscrutable efforts of the prophets themselves to falsify their prediction, the Union, notwithstanding the demerits of its supporters, might long since have ceased to be a standing topic of popular execration.

The disasters that, in point of fact, have followed, were pretty accurately foreseen by the men who opposed this much-vaunted measure. They failed, but they did their duty fearlessly and well, and not one of them, it is but just to say, in a spirit of more entire self-oblivion, and more earnest sensibility to his public duties, than the person whose name is prefixed to the present article. His manly and upright conduct, as usual in Ireland, excited deep and lasting resentment. He was stigmatized as an honest Irishman, and, disdaining to atone by after-compliances for his original offence, had to encounter all those impediments to professional advancement which systematically followed so obnoxious a disqualification.

Here I had intended to close my observations upon Sergeant Goold; but it occurs to me that there remains one topic, not, indeed, connected with his professional life, but of so much

terests been set at rest by a certainty of compensation. The injustice of annihilating provisions in family settlements resting upon the security of boroughs was also insisted on. I like better the stern logic of Mr. Saurin; "There can be no injustice in denying property to be acquired by acts which the law declares to be a crime. As well might the highwayman, upon a public road being stopt up, exclaim against the disturbance of his right to plunder the passengers." [The actual sum paid away, as "compensation," to the patrons of Irish boroughs, at the Union, was over one and a half million pounds sterling.—M.]

*

notoriety, and to this day so often canvassed, that a total silence upon it might be misconstrued. I allude to the evidence which he gave in the year 1818, at the bar of the House of Commons, upon the inquiry into the conduct of Mr. Wyndham Quin.* An imputation was cast upon his character at the time; and though stifled, as far as it could be, by the vote of an immense majority of the House, it has not wanted external support in that uncharitable spirit, which is ever ready to pronounce a summary verdict of conviction, upon no other foundation than the fact of a charge having been made.

I have now before me the report of the debates, and the minutes of the evidence in question. The latter are so voluminous, that it would be altogether unjust to the party concerned, to propose repelling the accusation by any analysis and comments that could be condensed into my present limits. I can merely state the general conclusion, to which I have come upon a minute examination and comparison of the several parts of the evidence; and that is my full and unhesitating conviction, that Mr. Goold was as incapable as the most high-minded of his accusers, of intentionally withholding or misrepresenting a single fact which he was called upon to disclose. He was, I admit, what is technically called "a bad witness;" barristers are proverbially so (instead of an answer they give a speech). Mr. Goold, from his habits and temperament, is peculiarly so. Upon every matter, great and small, he is hot and hasty; and announces his views with the tone and temper of a partisan. It is a part of the constitution of his mind, to have an undue confidence in the infallibility of his faculties and the importance of his personal concerns. All this broke out, as it does everywhere else, at the bar of the House of Commons: he could no more repress it than he

* Goold, when examined as a witness in the Limerick Election case, answered so vaguely, and confusedly, that his statement appeared full of discrepancies. The Election Committee reported him guilty of prevarication—a serious charge against a man of his standing at the bar and in society. The result was that he was thenceforth passed over in all law appointments. Previously, his elevation to the bench was considered certain. Goold eventually became Master in Chancery (a sort of legal sinecure in his case), and died at a very advanced age.—M.

could the movement of his arteries; and the effect upon the minds of strangers to his peculiarities may naturally enough have been unfavorable: but when the question arisen is a denial of a collateral and unessential matter of fact, a lapse of memory, or a meditated suppression, surely every one, who would not wantonly shake the stability of character, should feel bound to put the tenor of a long and honorable life against a most improbable supposition.

This was the view taken by those who knew him best: among the rest, by the late Mr. Grattan, whose friendship alone formed high evidence of a spotless reputation. For thirty years Mr. Grattan had been his intimate friend, and had seen him pass through the ordeal of times which tried, as far as any earthly process can try, the worth and honor of a man: and what was his impassioned exclamation? "Mr. Goold is thoroughly known to me. I would stake my existence upon his integrity, as I would upon my own. If he is not to be trusted, I know not who is to be trusted!" To this attestation, and its inference, I can not but cordially subscribe.

JOHN HENRY NORTH.

I LOOK upon MR. NORTH to be in several respects a very interesting person. He is immediately so by the great respectability of his character and talents. He is at the same time a subject that less directly invites the attention and speculation of an observer, in consequence of certain predicaments of situation and feeling, upon which his lot has cast him, and in discussing which the mind must, of necessity, ascend from the qualities and the fortunes of the individual to considerations of a higher and more lasting concern. If I were to treat of him solely as a practising barrister, possessed of certain legal attributes, and having reached a determined station, the task would be short and simple. But this would be unjust. Mr. North's mind and acquirements, and, it may be added, his personal history, entitle him to a more extended notice, and, in some points of view, to greater commendation, not unmingled, however, with occasional regrets, than his merely forensic career would claim.

It is now about fifteen years since Mr. North was called to the Irish bar.* He was called, not merely by the bench of

* John Henry North, born in 1789, went through Trinity College, Dublin, with brilliant success, obtaining such distinctions there that no one for a century had a higher collegiate reputation. In 1811, he was called to the bar, and immediately established a name for eloquence and legal acumen. He was married in 1818, to the sister of John Leslie Foster, afterward a Judge, and a near relative of Lord Oriel. Mr. North, whose character for oratory was very high, was brought into Parliament, in 1824, for an English borough, by Canning, to whom he was known. He was returned for an Irish borough in 1831, and by no means equalled the expectations of his political friends. In 1830, on the removal of Sir Jonah Barrington, the office of Judge of the Admiralty

legal elders performing the technical ceremony of investment, but by the unanimous voices of a host of admiring friends, so numerous as to be in themselves a little public, who fondly predicted that his career would form a new and brilliant era in the annals of Irish oratory. This feeling was not an absurd and groundless partiality. There was, in truth, no previous instance of a young man making his entry into the Four Courts, under circumstances so imposing and prophetic of a high destination. He had already earned the fame of being destined to be famous. In his college course he had outstripped every competitor. He there obtained an *optime*—an attestation of rare occurrence, and to be extorted only by merit of the highest order in all of the several classical and scientific departments, upon which the intellect of the student is made to sustain a public scrutiny into the extent of its powers and attainments.

The Historical Society was not yet suppressed.* Mr. North was accounted its most shining ornament. It was an established custom that each of its periodical sessions should be

Court in Ireland was conferred upon Mr. North, by the Duke of Wellington. When the Reform Bill was brought forward by Earl Grey's administration, its details were opposed by Mr. North, who considered it a revolutionary measure; Canning whose politics he held, had always opposed Parliamentary Reform. Mr. North died in September, 1831, at the early age of forty-two.

* The Historical Society, long connected with the University of Dublin, was at once the nursery and the school of Irish Eloquence. There some of the great men who have made history, learned the difficult task of public speaking, which has been well defined to be the *art of thinking on one's legs*. In that arena, Sheil himself was schooled in rhetoric. Among the later orators in this Society were Charles Wolfe, author of the noble lyric, "Not a drum was heard," in which he described the burial of Sir John Moore, who fell, in January, 1809, during the retreat at Corunna. The liberal principles professed and vindicated in the Historical Society, induced the University authorities first to discountenance it, next to restrict its license, then to drive it out of connection with the College, and finally to suppress it. The Speculative Society of Edinburgh, of which an account is given in Lockhart's "Life of Scott"—the place where Jeffrey, Brougham, and their compeers, learned to be eloquent—appears to have much resembled the Historical Society of Dublin. So, also, to this hour, are the Debating Clubs (called "The Union"), at the Universities of Oxford and Cambridge, where Heber and Gladstone, as well as Macaulay and Bulwer, first gained distinction among their fellows.—M.

closed by a parting address from the chair, reviewing and commending the objects of the institution. The task, as a mark of honor, was assigned to Mr. North. It was the last of his academic efforts, and is still referred to by those who heard him, as a rare and felicitous example of youthful enthusiasm for eloquence and letters, soaring above the commonplaces of panegyric, and dignifying its raptures by the most luminous views, and by illustrations drawn from the resources of a pure and lofty imagination. It was pronounced to be a masterpiece, and the author urged to extend the circle of his admirers by consenting to its publication. But he had the modesty or the discretion to refuse; and the public were deprived of a composition which, whatever might be its other merits, would at least have told as a glowing satire upon the miserable, monastic spirit, that soon after abolished the Historical Society as a perilous innovation upon the primitive objects of the royal foundress of Trinity College. It is edifying to add, that John Locke's Treatise on Government was also pronounced to inspire doctrines that would have met no countenance "in the golden days of good Queen Bess;" and as such, was expelled from the college course.

Mr. North's talents for public speaking were further exercised, and with increasing reputation, in the Academical Society of London. The impression that he made there attracted numerous visiters. He had now to stand the brunt of an audience little predisposed to be fascinated by provincial declamation. But the severest judges of Irish oratory admitted that his was copious, brilliant, and, best of all, correct. He was pronounced by some to be fitted for the highest purposes of the senate. It was even whispered that a ministerial member (a fortunate emigrant from Ireland, who had lately proved his capacity for less delicate commissions), had been secretly deputed from Downing street* to "look in" at the academies,

* Downing street in London is a *cul-de-sac* in Parliament street, close to the Horse-Guards, and in the vicinity of the Legislature. The principal offices of the State Administration are in this street—or rather *were*, as they have latterly been much increased, and their principal *façade* (which has many architectural beauties, and was erected by Sir Charles Barry, the architect of the New Houses of Parliament) is in Whitehall. The Colonial and Foreign Offi-

and report upon the expediency of tendering a borough and a place to the youthful orator. But whether it was that the honorable and learned missionary had no taste for a style of eloquence above his own; or that he missed that native audacity which he could so well appreciate; or that he had the shrewdness to infer, from certain popular tendencies in the speaker's cast of thought, that he might turn out not to be a marketable man — the experiment upon Mr. North's virgin ambition, if ever meditated, was not exposed to the risk of failure. The murmur, however, ran that such a proposal had been in agitation. Mr. North's growing celebrity had all the benefit of the rumor; and when he shortly after appeared in the Irish Hall, he was considered to have perched upon that bleak and arid waste as upon a mere place of passage, whence, at the expected season of transmigration, he was to wing his flight to a brighter and more congenial clime. This latter event, however, contrary to the calculations and wishes of all who knew him, was for years delayed. It is only the other day that Mr. North has at length been summoned to the Senate.*

In the interval, his progress at the bar, however flattering it might be to a person of ordinary pretensions, has not realized the auspicious anticipations under which his coming was announced. Wherever he has been tried, he has proved his legal competency. In some of the qualifications for professional eminence, and, among them, those in which a proud but unambitious man would most desire to excel — in a sound and comprehensive knowledge of general principles, and a facility of developing them in lucid and imposing language, he need not shrink from a comparison with a single contemporary rival.

ces are in Downing street: the Home and Council Offices, with the Board of Trade, the Commissioners of Education, Treasury, and Woods and Forests, are in Whitehall, in connection with Downing street. The War Office and the Admiralty are between the Treasury buildings and Charing-Cross. — M.

* Mr. North first was returned in 1825, for Milbourne Port, a small borough under the influence of the Marquis of Anglesey, who was then in friendly relations with Canning, under whom he held office two years later. Milbourne Port (which was disfranchised in 1832, by the Reform Bill) was represented, in 1830-'31, by Mr. Sheil. — M.

In others, and especially in the rarer and higher art of kindling and controlling the passions of an auditory, he has not hitherto answered to the prophetic hopes by which he was "set like a man divine above them all;" while, in respect of that extra-forensic and general importance which a person so gifted might, it was imagined, so rapidly attain, he has been altogether stationary. When he first appeared to public view, he lighted upon a pedestal, and the pedestal and the statue remain where they were. The question is often asked by others (and I doubt not by himself), "How has this come to pass?" It is one involving matters of general interest to all who embark in public life; and I shall endeavor, as I proceed, to offer a few such incidental hints, as, when collected, may supply a satisfactory answer.

The early admirers of this accomplished young man were fully warranted at the time in their praises and predictions. His mind was one of rapid growth, and put forth in its first-fruits the same qualities, in both kind and degree, which are the subject of just admiration at the present day. His intellect is singularly sound and clear. For the acquirement of knowledge, it may be said to be nearly perfect. It is vigorous, cautious, and comprehensive. The power of attention, that master-key to science, is under his absolute control. Whatever is capable of demonstration is within his grasp. Give him any system to explore, and no matter how intricate the paths, wherever a discoverer has gone before, he will be sure to follow in his track. His understanding, in a word, is eminently docile; at least so I would infer from the early extent and rapidity of his scientific attainments, and from the habits of order and perspicacity with which he has mastered the less manageable dogmas of our national jurisprudence.

In the power of imparting what he has thus acquired, Mr. North has also much that is uncommon. One qualification of a speaker he possesses in an extraordinary degree. For extemporaneous correctness and copiousness of phrase, I would place him in the very highest rank. All that he utters, wherever the occasion justifies the excitement of his faculties, might be safely printed without revision. Period after period

rolls on, stately, measured, and complete. There is a paternal solicitude—perhaps a slight tinge of aristocratic pride, in his determination that the children of his fancy should appear abroad in no vulgar garb. He is not like O'Connell, who, with the improvidence of his country, has no compunction in flinging a brood of robust young thoughts upon the world without a rag to cover them.* Mr. North's are all tastefully

* O'Connell had wonderful versatility as a speaker. He literally acted on the advice of St. Paul, and was "all things to all men." In a Court of Law, he occasionally joked with a jury, dragged them into his view of the case, by subtile argument, strong declamation, and an irresistibly natural manner. At a political meeting, where he spoke to the multitude, he alternately made them smile or get enraged, as he jested or moved their feelings. In Parliament, which he did not enter until he was fifty-four years old, he was calm, more subdued, more careful, more solicitous in his choice of words, and his manner of delivering them. He made some lucky hits, too, which amused the members. Such was his allusion to Mr. Walter, of the Times newspaper, who retained his seat on the Government side of the House, in 1835, after his Tory friends had crossed back to the opposition benches. O'Connell turning to him, apostrophized him as

"The last rose of Summer
Left blooming alone,
All its lovely companions
Are faded or gone!"

So, also, when sneering at the few adherents who sided with Lord Stanley (now Earl of Derby), in 1834, when he seceded from the Grey Ministry, he quoted two lines from Darwin—

"Thus down thy hill, romantic Asbourne, glides
The *Derby dilly*, carrying six insides."

And his parody on the three militia Colonels—Percival, Verner, and Sibthorpe, who were respectively brazen, intolerant, and hirsute:—

"Three Colonels, in three distant counties born
Sligo, Armagh, and Lincoln, did adorn.
The first in matchless impudence surpassed,
The next in bigotry—in both, the last.
The force of Nature could no farther go—
To beard the third, she sheared the other two!"

As a parliamentary speaker, independent of his readiness and ability, O'Connell had immense weight from his position as the "Member of all Ireland," actually carrying with him the votes of nearly one half the Irish members. But Sheil, as an orator, was listened to with more attention and delight. The moment his shrill voice was heard, all was fixed attention and eager expectation, for every one knew that a great intellectual treat was at hand.—M

and comfortably clad. But this extraordinary care is unmarked by any laborious effort. In the article of stores of diction, his mind is evidently in affluent circumstances, and betrays no lurking apprehension that the demands upon it may exceed his resources. There are no ostentatious bursts of unwonted expenditure to keep up the reputation of his solvency. Sentence after sentence is disbursed with the familiar air of unconcern which marks the possessor of the amplest funds.

With qualifications such as these, unequivocally manifested at a very early age, and aided by a graceful and imposing manner and a personal character which stamped a credit upon all he uttered, and these natural excellences stimulated by a generous ambition to answer the general call that was made upon him to be a foremost man in his day, it was naturally to be anticipated that Mr. North would do great things; but his endowments, however rare, have been greatly marred, as to all the purposes of his fame, by a radical defect of temperament, to the chilling influence of which I can trace the failure of the splendid hopes that attended his entrance upon public life. Mr. North has abundant strength of intellect, but he has not equal energy of will. His mind wants boldness and determination of character. It wants that hardihood of purpose and contempt of consequences, without which nothing great in thought or action can be accomplished. He is trammelled by a fastidious taste, and by a disastrous deference to every petty opinion that may be pronounced upon him. He sacrifices his fame to his dignity. Fame, he should have remembered, is like other fair ladies, and faint heart never won her. Like the rest, she must be warmly and importunately wooed. He shrinks, however, from the notion of committing himself as her suitor, except upon a classical occasion.

I have been often asked "if I considered Mr. North to be a man of genius?" My answer has been, "He would be, if he dared." If it were possible to transfuse into his system a few quarts of that impetuous Irish blood which revels in O'Connell's veins—if he could be brought to bestir himself and burst asunder the conventional fetters that enchain his spirit, he has many of the other qualities that would entitle him to

that envied appellation. But as it is, his powers are enthralled in a state of magnetic suspension between the conflicting influences of his ambition and his apprehensions. With all the desire in the world to be an eminent man, and conscious that the elements of greatness are within him, one of its most neces sary attributes he still is without—a sentiment of masculine self-reliance, and along with it a calm and settled disdain for the approbation of little friends, and the censure of little enemies, and the murmurs of the tea-table, and the mock-heroic gravity with which mediocrity is ever sure to frown upon a style of language or conduct above its comprehension. Hence it is, that he has never yet redeemed the pledges of his youth. In his public displays, which, from the same scrupulous taste, have been far more unfrequent than they ought, he has been copious, graceful, instructive, and, in general, almost faultless to a fault. But the lofty spirit of heroic oratory was wanting —"there was no pride nor passion there." He is so afraid of "tearing a passion to tatters," he'll scarcely venture to touch it. He distrusts even light from heaven for fear it should lead astray.

I am far from attributing these deficiencies to any inherent incapacity of lofty emotions in Mr. North; I should rather say that he has been in some sort the spoiled child of premature renown. The applause that followed his first attempts taught him too soon to propose himself as a model to himself, and to shudder at the danger of degenerating from that ideal standard. He speculated "too curiously" upon how much character he might lose, without considering how much more might yet be gained. In this respect he arrived too soon at his years of discretion. His mind seems also to have early imbibed an undue predilection for the mere elegancies of life, and for external circumstances as connected with them. In spite of his better opinions on the subject of human rights, I am not sure that his heart would not beat as high and quick at the pageantry of a Coronation, as at the demolition of a Bastille. In matters of literature, too, I would almost venture to say that what in secret delights him most, is not the bold, impassioned, and agitating, but the gentle and diffuse; that he likes

not the shock of those tempests of thought that purify the mental atmosphere, chasing away the collected clouds, and tearing up our sturdiest prejudices by the roots, but rather prefers to repose his spirit in the midst of those quiet reveries where no favorite opinion is in danger of being shaken. Instead of ascending to the mountain-tops with the hardy speculator, he would rather linger among the charms of the cultivated plain with the meek essayist — where, sauntering along through scenes of security and repose, with all harsher objects excluded from the view, and nothing around but sweet sights, sweet smells, and pleasant noises, becalming every sense, the pensive soul, forgetting, for the moment, the world and its ways, is lulled to rest, and dreams that all is right.

Mr. North would have written the most beautiful letters in the world from the Lake of Geneva, and not the less so from the inspiring influence of an elegant residence on its banks. His speeches savor of the particular tastes I have been describing. There is too much of the equanimity of literature about them — too little of the ardor and impetuosity of passion speaking *viva voce*. They rather resemble high-wrought academic effusions, stately, orderly, and chaste, and having also the coldness of chastity, than the glowing eruptions of a mind on fire, warming and illuminating whatever comes within its range. To conclude, Mr. North is a proficient in the formal parts of the higher order of oratory — in diction — arrangement — the selection and command of topics — delivery — action — but (to adopt some hackneyed illustrations) in the same degree as moonlight differs from the splendor of the sun, pearl from diamond, silver from gold, the scented and well-trimmed shrubbery from the majestic forest, the placid waters of the lake from the impetuous heavings of "old ocean," so may he be said to fall short of first-rate excellence in the art of speaking.

From my observations upon Mr. North's mind, neutralized as he has permitted it to become, I should say that now his chief strength lies in sarcasm, and in that species of humor which consists of felicitous combinations of mock-heroic imagery and gorgeous diction, descriptive of the feelings and

situation of the object ridiculed;—and yet he has employed his powers in this respect so sparingly, that I have some doubts whether he be fully aware of their extent. I have not heard that he gave any early indications of this talent; and though at first view it may appear to be at variance with the leading propensities of his mind, I do not conceive it difficult to account for its existence. On the contrary, it seems natural enough that a person gifted with powers of language and imagination, but of too timid a taste to risk them upon sincere and serious trains of sentiment, should resort to ridicule, and to that particular kind, to which I have just adverted. Such a person feels what an awful thing it is to be accountable to a sneering public, for the appropriateness of every generous thought and glowing illustration into which a well-meaning but too fervid enthusiasm may betray him. The incessant recollection of the proximity of the ludicrous to the sublime, appals and paralyzes him; but give him an adversary whose motives and reasonings and language are to be travestied, and the spell that bound his faculties is dissolved. Here, where every exaggeration has a charm, he ventures to give full scope to his fancy. The very temper of mind that renders him sensitive and wary when he speaks in his own person, suggests the boldest images, and the more grotesque they are the better, when by a rhetorical contrivance the whole responsibility of them is, as it were, shifted upon the shoulders of another. I would almost venture to predict, that it is this way Mr. North will make himself most felt in the House of Commons.* He has the classic authority of Mr. Canning, for proposing as a subject the Duigenan redivivus of the House; but I have my fears that he will select a nobler mark than Master Ellis.† I

* The expectations of Mr. North's friends were by no means realized. He did not cut a figure in Parliament, and is said to have severely and painfully been aware of the fact.—M.

† A gentleman named Ellis, who held the office of Master in Chancery, and, from his office, was called "Master Ellis," had been elected member for Dublin, some short time previous to the publication of this sketch, and considerable dissatisfaction was excited thereby, as it was considered next to impossible that he could attend to his Parliamentary duties in London and his legal duties in Dublin, at one and the same time. An act was subsequently passed extend-

therefore caution my Opposition friends, and especially Mr. Hume, to be on their guard.

Mr. North's exterior has nothing very striking; his frame is of the middle size and slender, his features small and pallid, and unmarked by any prominent expression, save those habitual signs of exhaustion, from which so few of the occupied members of his profession are exempt. If he were a stranger to me, I should pass him by without observation, but, knowing who he is, and feeling what he might be, I find his face to be far from a blank. Upon examination, it presents an aspect of still and steady thoughtfulness, with that peculiar curve about the lips when he smiles (as he often does) which imports a refined but too fastidious taste. When the countenance is in repose, I fancy that I can also catch there a trace of languor, such as succeeds a course of struggles where high and early hopes had been embarked, while a tinge of melancholy, so slight as to be dispersed by the feeblest gleam, but still returning and settling there, tells me that some and the most cherished of them have been disappointed. I confess that I respect Mr. North too much to regret those indications of a secret dissatisfaction with his condition; and more especially, because in him they are entirely free from the ordinary fretfulness and acrimony of mortified ambition. He is too considerate and just to wage a splenetic warfare with the world because all the bright visions of his youth have not been realized; and he is still too young and too cautious of his capacity to be irretrievably depressed when reminded by others or by himself, that hitherto Fame has only spoken of him in whispers, and that much must be done in both intellect and action, before the glorious clang of her trumpet shall rejoice his ear.

These allusions to Mr. North's omissions as a public man, are offered in no unfriendly spirit. If I looked upon him as an ordinary person, I should say at once of him, that he has well

ing to Irish Masters in Chancery the prohibition of sitting in Parliament imposed upon persons of like rank in England. Mr. Ellis was recommended to the Church and State corporation of Dublin, solely by his illiberal opinions and intolerant principles. He was a bigot in politics as well as in religion — servitor worthy of such masters as formed the Dublin Corporation thirty years ago.— M

fulfilled the task assigned him. He has won his way to a respectable station in a most precarious profession; enjoys considerable estimation for general talent, and is cordially honored by all who know him, for the undeviating dignity and purity of his private life. But from those to whom much is given much is exacted. My quarrel with Mr. North is, that living under a system teeming with abuses, and loudly calling upon a man of his character and abilities to interpose their influence he should have consented to keep aloof a neutral and acquiescent spectator. For fifteen long years, a liberal and enlightened Irishman, seeing with his own eyes what an English barber could not read of without contempt for the nation that endured, and not to have left a single document of his indignation!—not a speech, not a pamphlet, not an article in a periodical publication—not even that forlorn hope of a maltreated cause, a well-penned protesting resolution! What availed it to his country that he was known to be a friend of toleration, if his co-operation was withheld upon every occasion where his presence would have inspired confidence, and his example have acted as a salutary incitement to others! What, that his theories upon the question of free discussion were understood to be manly and just, if, after having witnessed the irruption of an armed soldiery into a legal meeting, and being himself among the dispersed at the point of the bayonet, he had the morbid patience to be silent under the affront to the laws, paying such homage to the times as scarcely to

"Hint his abhorrence in a languid sneer."

His learning, too, his literary and philosophic stores, things so much wanted in Ireland—where has he left a vestige of their existence, so as to justify the most flattering of his friends in saying to him, "You have not lived in vain, and should you unfortunately be removed before your time, your country will miss you?"

This is what I complain of and deplore; and these sentiments are strong in proportion to my estimate of his latent value, and my genuine concern for the interests of his fame; for, in the midst of my reproaches, I see so much to admire and

respect in him, he is of so meek a carriage, and has about him so much of the gentleman and the scholar, that I can not divest myself of a certain feeling of almost individual regard. Nor, in putting the matter thus, am I aware that I make any unreasonable exactions. At particular seasons, his profession, no doubt, must demand his undivided care: but there are intervals which, with a mind full as Mr. North's is, might have been, and may still be, dedicated to honorable uses. There are not wanting contemporary precedents to show what the incidental labors of a lawyer may accomplish, in science, in letters, in public spirit. Let him look to Mr. Brougham, to the versatility of his pursuits, and the varieties of his fame—the Courts, the House of Commons, and the "Edinburgh Review;" to Denman, Williams, and many others of the English bar, eminent or on the road to eminence in their profession, and patriotic and instructive in their leisure;* or (a more pregnant instance still), let him turn to the Scotch, those hardy and indefatigable workers for their own and their country's renown. There is Jeffrey, Cockburn, Cranstoun, Murray, Montcrief, great advocates every man of them: the first the creator and responsible sustainer of the noblest critical publication of the age; the others ardent and important helpmates, and all of them finding it practicable, amid their regular and collateral pursuits, to take an active lead in the popular assemblies of the north.† These men, whom energy and ambition have made what they are, may be used in other respects as a great example. Under circumstances peculiarly adverse to all who disdained to stoop, they never struck to the opinions of the day, but, confiding in themselves, were as stern and uncompromising in their conduct as in their maxims—yet are they all prosperous and respected, and for-

* The principal counsel in defence of Queen Caroline (wife of George IV.), proceeded against by a Bill of Pains and Penalties in 1820, were Henry Brougham, her Attorney-General; Thomas Denman, her Solicitor-General; Stephen Lushington, and John Williams. The first became Lord Brougham, and Lord Chancellor of England; the second, Lord Denman, Chief Justice of the King's Bench; the third, Judge of the Consistory and Admiralty Courts (which he still is); and the last (now dead) one of the *puisne* Judges.—M.

† All of these eminent lawyers subsequently became Judges in Scotland—or Lords of Session, as they are called.—M.

midable to all by whom a high-spirited man would desire to be feared.

I see but one plausible excuse for the course of political quietude to which Mr. North so perseveringly adhered, and in fairness I should not suppress it. It was his fate to have commenced his career under the Saurin dynasty. Things are something better now; but, some twelve or fifteen years ago, wo betided the patriotic wight of the dominant creed who should venture to whisper to the public that all was not unquestionable wisdom and justice in the ways of that potent and inscrutable gentleman! The opposition of a Catholic was far less resented. The latter was a condemned spirit, shorn of all effective strength, and was suffered to flounder away impotent and unheeded in the penal abyss; but for a Protestant, and, more than all, a Protestant barrister, to question the infinite perfection of the Attorney-General's dispensations, was monstrous, blasphemous, and punishable—and punished the culprit was. All the loyal powers of the land sprang with instinctive co-operation to avenge the outrage upon their chief and themselves. The loyal gates of the Castle were slapped in his face. The loyal club to which he claimed admission, buried his pretensions under a shower of black-beans. The loyal attorney suspected his competency, and withheld his confidence. The loyal discounter declined to respect his name upon a bill. The loyal friend, as he passed him in the streets, exchanged the old, familiar, cordial greeting, for a penal nod. In every quarter, in every way, it was practically impressed upon him that Irish virtue must be its own reward. Even the women, those soothers of the cares of life, whose approbation an eminent French philosopher has classed among the most powerful incentives to heroical exertion—even they, merging the charities of their sex in their higher duties to the state, volunteered their services as avenging angels. The teapot trembled in the hand of the loyal matron as she poured forth its contents, and along with it her superfine abhorrence of the low-lived incendiary; while the fair daughters of ascendency grouped around, admitted his delinquency with a responsive shudder, and vowed in their pretty souls to make his charac-

ter, whenever it should come across them, feel the bitter consequences of his political aberrations. All this was formidable enough to common men. Mr. North was strong enough to have faced and vanquished it. Instead of fearing to provoke the persecuting spirit of the times, he might have securely welcomed it as the most unerring evidence of his importance.

Having said so much, I am bound to add that the foregoing observations have not the remotest reference to Mr. North's conduct at the bar. There he is entitled to the highest praise, and I give it heartily, for his erect and honorable deportment in the public and (an equal test of an elevated spirit) in the private details of his profession. The most conspicuous occasion upon which he has yet appeared was on the trial of the political rioters at the Dublin theatre.* It was altogether a singular scene—presenting a fantastic medley of combinations and contradictions, such as nothing but the shuffling of Irish events could bring together: a band of inveterate loyalists brought to the bar of justice for a public outrage upon the person of the King's representative; an Attorney-General prosecuting on behalf of one part of the state, and the other exulting with all their souls at the prospect of his failure; a popular Irish bench; an acquitting Irish jury; and, finally, the professional confidant of the Orange Lodges—the chosen defender of their acts and doctrines, Mr. North. It would be difficult to conceive a more perplexing office. He discharged it, however, with great talent and (what I apprehend was less expected) consummate boldness. As a production of eloquence, his address to the jury contained no specimens of first-rate ex-

* When the Marquis Wellesley was made Viceroy of Ireland, in 1821, the liberality of his opinions and his known desire that the Roman Catholic disabilities should be removed rendered him obnoxious to the "Protestant Ascendency" or Corporation and Orange party. Some ruffians belonging to this party threw a bottle at Lord Wellesley, in Dublin theatre, and bills of indictment were preferred against certain persons apprehended on a charge of complicity in this affair. The Grand Jury (also Orange) ignored the bills. The Government lawyer then proceeded *ex-officio*—a course wholly independent of grand juries—but got frightened, as the trial approached, and the charge fell to the ground, thereby giving a great triumph to the Corporation and their satellites.—M.

cellence, but many that were not far below it; while his general line of argument, and his manner of conducting it, gave signs of a spirit and power from which I would infer, that, should State Trials unfortunately become frequent in Ireland during his continuance at the bar, he is destined to make no inconsiderable figure as a leading counsel for the defences. The Williamites were grateful for the effort, and greeted their successful advocate with enthusiastic cheers on his exit from the Court. This was, I believe, the only public homage of the kind that Mr. North had ever received; and, however welcome at the moment, could scarcely fail to be followed by a sentiment of sadness, when he reflected upon the untowardness of the fate which doomed his name to be for the first time exalted to the skies on the yell of a malignant faction that he must have detested and despised.

The preceding views of Mr. North's intellectual characteristics were formed, and in substance committed to paper, before his recent appearance in the House of Commons.* Since that event I have seen nothing calling on me to retract or qualify my first impressions. If the effect which he produced then was not all that had been expected, I attribute it far less to any deficiency of general power, than to that want of energy and directness of purpose, which is the besetting infirmity of his mind. Let him but emancipate himself (and he *has* shown that he can do so) from the petty drags that have heretofore impeded his course, and he may yet become distinguished to his heart's content, and, what is better, eminently useful to his country. He has the means, and nothing can be more propitious than the period. Irish questions press upon the Parliament; upon the most vital of them (the Catholic) he thinks with the just, and will not fail to make a stand. Upon the others he can be, what is most wanting in that House, a fearless witness. Wherever he interposes, the purity of his personal character—his position with the Government—even the neutrality of his former course, will give him weight and credit. Nor (as far as his ambition is concerned) will services thus rendered be unrewarded. So prostrate is the pride of Ireland

* This sketch appeared in November, 1824.—M.

that she no longer exacts from her public men a haughty vindication of her rights. In these times a temperate mediator is hailed as a patriot. This Mr. North can be; but to be so with effect, he must distinguish better than he has yet done between false complaisance and a manly moderation. He must give way to no mistaken feelings of political charity toward a generation of sinners, whom flattery will never bring to repentance. If he praise the country-gentlemen of Ireland again, until they do something to deserve it, I shall be seriously alarmed for his renown.

THOMAS WALLACE.

Mr. Wallace is in several respects a remarkable man. He has for many years held an eminent station in his profession, and is pre-eminently entitled to the self-gratulation of reflecting, that his success has been of that honorable kind in which neither accident nor patronage had any share. Of his early life and original prospects I have heard little, beside the fact that, in his youth, he found himself alone in the world, without competence or connections, and with merely the rudiments of general knowledge; and that under these disheartening circumstances, instead of acquiescing in the obscurity to which he was apparently doomed, he formed, and for years persevered in a solitary plan of self-instruction, until, feeling his courage and ambition increased by the result of the experiments he had made upon himself, and measuring his strength with the difficulties to be encountered, he rejected the temporary allurements of any more ignoble calling; and, with a boldness and self-reliance which the event has justified, decided upon the Bar as the most suited to his pretensions.

With this view, and with a patient determination of purpose which is among the most trying exercises of practical philosophy, he qualified himself for Trinity College, and entering there, gave himself (what was probably his chief motive in submitting to the delay) the reputation of having received a regular and learned education. He was called to the Bar in 1798, where his talents soon bringing him into notice, he advanced at a gradual and steady pace to competence, then on to affluence, and finally to the conspicuous place which he now fills in the Irish courts. He obtained a silk gown about

seven years ago* — a period beyond which it could not, with out consummate injustice, have been withheld; but he was known to have connected himself, in his political sympathies, with Mr. Grattan and the friends of Ireland;† and this, according to the maxims by which the country was then governed, was an unanswerable reason for procrastinating to the latest moment his title to precedency.

Mr. Wallace's intellectual qualities are in many particulars such as might be inferred from his history. In his character, as developed by his early life, we find none of the peculiarities of his country — no mercurial vivacity — no movements of an impatient and irregular ambition — but rather the composed and dogged ardor of a Scotchman, intent upon his distant object of fame and profit, and submitting, without a murmur, to the fatigues and delays through which it must be approached. In the same way it may be said of his mind, that it has little

* In 1819 — this sketch appeared in July, 1826. — M.

† Grattan was, *par excellence*, the most liberal man in Ireland — devoting over forty years of his public life to the cause of national independence and the advancement of civil and religious liberty. He was not always popular, though Ireland gave him fifty thousand pounds sterling for his services in 1782. Flood insinuated that he had betrayed his country for gold, and was "a mendicant patriot who, for prompt payment, had sold himself to the Minister." Lord Clare denounced him as "an infernal democrat." The Corporation of Cork voted that the street, which had been named Grattan street, should in future, be called Duncan street. The Dublin Corporation, who had graced their hall with his portrait, tore it down from the wall, and received a motion that he be expelled from their body. Out of this an incident arose: There was a parliamentary contest for Dublin, in 1803, and Sir Jonah Barrington was a popular candidate. Grattan went up to vote for him, and was objected to as one who had been expelled the corporation. A violent Ascendency man, named John Gifford (whose son, Doctor Gifford, is the able Editor of the London Standard), made the objection. When silence was restored, Grattan thus denounced him: "Mr. Sheriff, when I observe the quarter whence the objection comes, I am not surprised at its being made. It proceeds from the hired traducer of his country — the excommunicated of his fellow-citizens — the regal rebel — the unpunished ruffian — the bigoted agitator! In the city, a firebrand — in the court, a liar — in the streets, a bully — in the field, a coward! So obnoxious is he to the very party he wishes to espouse, that he is only supportable by doing those dirty acts the less vile refuse to execute." — This was a pretty strong use of the vernacular. When the roll of voters was examined, it showed that Grattan's name was never erased, so he voted for his friend. — M.

or nothing that is strictly national. The forms in which it excels are purely abstract, and would come as appropriately from a native of any other country. It is as an advocate (as contradistinguished from a mere lawyer), that he has been most successful; and here the characteristic quality of his style and manner, or rather, the compound result of all the qualities that belong to him professionally and individually, is masculine energy. He is emphatically "the strong man." There is at all times, and on all occasions, an innate, constitutional, imposing vigor, in his topics, language, tones, and gestures; all co-operating to a common end, and keeping for ever alive in his auditory the conviction that they are listening to a singularly able-minded man.

This impression is aided by his general aspect. His face, without a particle of pedantic solemnity, is full of seriousness and determination. Whatever of lofty or refined emotion may belong to the individual, never settles upon his countenance, and equally absent is every trace of sentimental discontent: but you find there a rigid, statue-like stability of expression, importing consciousness of strength and immobility of purpose, and suggesting to those who know his history and character an early and deliberate preparation for the world's frown, and a determination to retort it. His features, though remarkably in unison with the intellectual and moral characters impressed upon them, have few physical peculiarities that can be conveyed by description. They are of the hardy Celtic outline, are evidently composed of the most durable materials, and still retain all the compactness and rotundity of early youth. His frame, though little above the middle size, presents the same character of vigor and durability, and contributes its due proportion toward completing that general idea of strength, which I have selected as most descriptive of the entire man. The more stern attributes, however, that I have ascribed to him, refer exclusively to the individual, as I have seen him in the discharge of his public duties. In the intercourse of private life he is, according to universal report, of the most frank and familiar manners, an extremely attractive companion, and, what is better still, a warm and constant friend

Considering, as I do, Mr. Wallace's mind to be in its original constitution what may be denominated one of all-work, I should say of it, that among the multiform and dissimilar departments of intellectual exercise involved in the profession of the law, there was scarcely any for which he could not have provided a corresponding aptitude of faculty. His powers have, however, been very much confined to those classes of cases in which facts, rather than legal doctrines, are the subject-matter of investigation. This may have been partly accidental; for, at the Irish bar, it is not only a matter of chance whether the individual is to succeed at all, but chance, in the majority of instances, determines the particular faculties that must be developed and permanently cultivated for the purpose. There the aspirant for professional eminence can not, as in England, select a particular department, and make it the subject of his exclusive study.* One comes to the scene of exertion, relying upon his stores of learned research and his capacity for the solitary labors of the desk—but the necessity of taking whatever business is offered, throws him into a totally dissimilar line. He becomes a *nisi-prius* or motion lawyer, upon compulsion; strains his lungs in open court, to a pitch that neither nature nor himself had ever designed; and ascertaining by experience that this is to be his way of "getting on," resigns his original studies as unproductive toil, and concludes a prosperous career, without having ever given an opinion upon a title, or settled the draft of a deed of assignment.

Another starts upon the strength of his oral qualifications. Full of confidence and ardor, and fired with admiration of preceding models, he is all for eloquence—and eloquence of the highest order. He studies black-letter, and technicalities as a painful effort, but his cordial meditations are over the defence of Milo, and the immortal productions of the Athenian school.

* At the Irish as at the American bar, the lawyer takes all business that comes to him—whether Nisi Prius, criminal, equity, mercantile, ecclesiastical, or civil, not declining special pleading and conveyancing. In England, the lawyer usually limits himself to one line, on which he concentrates his attention and abilities. The natural result is that one practice makes good *general* and the other produces eminent *special* lawyers.—M.

In his ambitious reveries, he sees before him a brilliant perspective of popular occasions, with the usual accompaniments of crowded galleries, spell-bound juries, an admiring bench, an applauding bar—but let him take heed. It is at all times in the power of two or three friendly attorneys, who are in any business, to get him into Chancery, and keep him there, and with the best intentions imaginable (if he only prove competent to the tasks assigned him) to blast his fame for eloquence for ever.*

It does not, however, appear to me, that Mr. Wallace is one of those to whom any cross-purposes of this kind have assigned a final destination that can be reasonably lamented. The cases in which he is in most request, are, perhaps, those in which he was originally, and still continues more peculiarly fitted to excel.

Judging of him from his professional attributes and his collateral pursuits, I am led to infer that the early and strongest propensity of his mind was for the discovery of truth; or in other words, that he was more of the philosopher than the sophist; and it will, I apprehend, be generally found true, that such an intellect, however competent to seize, is less prone to retain

* I could cite more than one example of persons, whose talents for public-speaking have been thus suppressed. I know of only one exception; or to speak more strictly, of an instance of very uncommon powers of oratory, breaking out long after the enthusiasm of youth had passed away, and in despite of a long subjection to habits of an opposite tendency. It was that of an Englishman, the present Mr. Justice Burton. He had been disciplined in all the severity of his native school, and forced his way at the Irish bar, entirely by his legal superiority. It was only, when in the regular course of seniority he came to address juries, that it was first discovered by others, and probably by himself, that there lay in the depths of his mind a mine of rich materials that had never been explored. To the last he had to dig for them. For the first half hour he was nothing; it took him that time to reconnoitre his subject, and get thoroughly heated: after that he was—not an accomplished speaker—for he never affected the externals of oratory—but in its great essentials—unity of purpose, and bold, rapid, and impassioned reasoning, enforced by the vigorous practical tones and gestures of real life—possessor of an energy, that at times, and often for a long time together, was quite Demosthenic. [Charles Burton, late one of the *puisne* Judges of the Queen's Bench in Ireland, was induced to leave the English for the Irish bar by Curran, and merited all the praise here given him. He died in December, 1847, aged 87, much lamented.—M.]

and manage, a large mass of the multiform propositions of English law, where the terms in most familiar use are often subtile deductions from distant principles that are no longer visible to those who employ the terms with most effect; and where, in fact, the process of argumentation may be likened to the working of an algebraic equation, in which the final result is ascertained by the juxtaposition of signs rather than by a comparison of ideas. He has also indulged in too constant a sympathy with the concerns of general humanity, to have ever shrunk into a mere technical proficient. To form the true "*Leguleius, cautus atque acutus,*" a man must make up his mind to remain for years and years profoundly indifferent to all that passes beyond the precincts of his immediate calling. He must take the course of legislation as he would the course of the stars, as things above him; and never venture, even in his most private reflections, to pry into the policy of an Act of Parliament, saving so far as the preamble may be pleased to enlighten or perplex him on that point. If questions on the Currency rage around him, he must take no part, except in hoping that the decision will not diminish the exchangeable value of the counsel's fee. If he chances to hear that a bog has burst from its moorings, or that a blazing comet threatens to pounce upon our planet, he must leave them to be treated of by the curious in such matters, and go on with his meditations over a special demurrer. He must bring himself, in short, to take no interest, direct or indirect, in aught that does not come home to his learned self. His bag must be to him the true sign of the times; and as long as it continues in high condition, he is to rest satisfied that human affairs must be running a prosperous career.

Mr. Wallace has, however, found constant and profitable occupation in a branch of his profession, where a proficiency does not involve a corresponding waste of sensibility. He is in high repute in jury cases, and still more in those cases where issues of fact come under the investigation of the court, upon the sworn statements of the parties and their witnesses. It was said of the celebrated Malone, that to be judged of, he should be heard addressing "a jury of twelve wise men;" and

certainly when I consider the eminent qualifications of Mr. Wallace, distinguished as he is for a solid and comprehensive judgment; for manly sagacity rather than captious subtilty in argument; for the talent (and here he peculiarly excels) of educing an orderly, lucid, and consistent statement out of a chaotic assemblage of intricate and conflicting facts; for his knowledge of human nature, both practical and metaphysical, and, along with these, for the sustained and authoritative force of his language and delivery, which operate as a kind of personal warranty for the soundness of every topic he advances; I should say that the most fitting place for the exhibition of such powers would be before such a tribunal as the admirers of Malone would have assigned him; but a tribunal, so constituted, is not to be found. The most discriminating of Irish sheriffs would be somewhat puzzled in his efforts to empannel a round dozen of special sages in a jury-box; but though wisdom in such numerical force is not to be met with, there is a tribunal in Ireland (a novelty perhaps) filled by persons, who for knowledge, intellect, and impartiality, may, without exaggeration, be denominated "four wise men," and who are most frequently called upon to serve as jurors in that description of cases in which Mr. Wallace's professional superiority is most acknowledged.* Those cases (in technical parlance called "heavy motions") are more numerous in the Court of King's Bench, partly from its exclusive jurisdiction, as a court of criminal law, and also in no small degree from its present constitution, and the consequent influx of general business, by which the public confidence in its adjudications is unequivocally declared.

* Mr. Curran, on one occasion, was trying a case before Lord Avonmore and a stupid Dublin Jury, by whom his best flights of eloquence and wit were wholly unappreciated. Addressing them, with a side glance at the Judge, he stated that Hesiod, a famous Greek historian, had exactly expressed his views, and quoted *two lines of Latin!* "Why, Mr. Curran," said the Judge, "Hesiod was a poet not an historian, and the lines you quote are not Greek but Latin: they occur in Juvenal." Curran contended that they were Greek, and the dispute grew warm. At last, Curran said, "Well, my lord, I see we must disagree. If it were a matter of law, I should bow to your lordship's opinion, but it is one of fact, and rests with the Jury to decide. Let us send it up as collateral issue to the Jury, and I'll be bound that they will—*find it Greek!*"—M.

It is accordingly in this court that Mr. Wallace, in his ordinary every-day manner, as an advocate, may be heard to most advantage. His skill in dissecting a knavish affidavit is admirable, and renders him the terror of all knavish deponents upon whom he may have to operate. The exhibition is often amusing enough to a disinterested spectator. The party whose conscience is to undergo the ordeal of a public scrutiny, may be seen seated by his attorney; his countenance at first glowing with a defensive smirk of self-complacent defiance, but manifesting, as the investigation into his candor and veracity proceeds, the most marvellous varieties of hue and expression. An inconsistency or two are pointed out, and his smile of anticipated triumph gradually degenerates into a sub-acid sneer. A fraudulent suppression is next put up, and then he begins to look at his attorney; and, finding no refuge there, to look very grave. The counsel proceeds, inexorably accurate in his detections, and caustic in his comments. Our worthy deponent begins now to tremble for his reputation, and not without reason; for down come upon it a succession of mortal blows, every one of which the listening crowd, who desire no better sport, pronounce, by a malignant buzz, to have been "a palpable hit." This quickly brings on the final stage. Our hero, "according to the very best of his knowledge, information, and belief," is mortified and wrathful in the extreme. He starts and frowns and shifts his posture, and compresses his lips, and clenches his fists: he would give worlds (so at least says his eye; and I would believe it as soon as his affidavit) to have just one blow at the head of his merciless torturer, or to tell him in open court that he is a calumniator and an assassin. He is on the point of committing some extravagance, when his attorney throws in a word or two of cool advice, to prevent his rage from boiling over, and the paroxysm gradually works itself to rest in silent vows of indefinite vengeance, or in *sotto-voce* murmurings of impotent vituperation.

In such cases as the preceding, the severity of Mr. Wallace's animadversions is forgotten with the occasion; but when, in the discharge of his duty, he has been impelled to be equally unceremonious in his comments upon litigants of a higher

order, murmurs have arisen, and questions been started as to what are or ought to be the privileges of a barrister, in arraigning the conduct and motives of the parties to whom he is opposed. The irritated suitor of course exclaims against a license under which he has smarted, as an intolerable grievance, and in general finds many sufficiently disposed to join in his indignation; but no disinterested person, acquainted with human nature as developed in the course of our legal proceedings, and considering alone the ends of justice, can easily bring himself to desire that the privileges complained of should be in any way abridged. The law makes a counsel personally responsible for any injurious observations upon the characters of individuals not warranted by his instructions; and that those limits are seldom exceeded may be collected from the fact, that actions for slander of this description are unheard-of in practice. But if his instructions are manifestly libellous, is he not under a paramount moral obligation to suppress the obnoxious matter? or is every just and honorable feeling of the gentleman to be merged in the conventional character of the barrister? The answer is:—A counsel can not tell whether his instructions be true or false; and though they should lean heavily upon an individual of previously unblemished reputation, he is not on that account to take it for granted that they are calumnious.

It is a matter of daily experience, that litigation makes strange discoveries in the characters of men. Persons of unsuspected integrity no sooner become plaintiffs or defendants in a cause, than, blinded by self-interest, or inflamed with the silly desire of obtaining a victory, they are found resorting to every knavish artifice to establish an unjust or resist an equitable demand. How, then, in any given case alleged to be of this description, can the counsel assure himself beforehand that the result will falsify his instructions? Is he, in defiance of them, to be incredulous and forbearing; and from his conjectural doubts and misgivings, to put forward a statement so tame and wary as to deprive his client of the benefit of that honest indignation in the court or jury, which the real facts of the case might justify?

The present Chief-Justice Best* once said, in conversation, of a barrister: "That man is unfit to conduct a case at the Quarter Sessions: he believes what his client tells him." There is equal truth in the converse of the proposition. A barrister, who should make it a rule to act upon the disbelief of what his client tells him, would prove equally incompetent. But still, it is constantly urged, the privilege thus contended for produces much unwarrantable vituperation. To this it may be replied, that custom has given to language a peculiar, qualified forensic sense, just as it has a Parliamentary one; and that, thus understood, the invectives of counsel are purely hypothetical, and go for nothing, unless corroborated in proof and sanctioned by a verdict. If cleverly thrown off, they may for the moment gratify the bystanders, or ruffle the temper of the party against whom they are directed — but they leave no stain upon his reputation, if twelve men upon their oaths pronounce him to be an honest man. The "daggers" that a counsel "talks," are merely weapons handed up to the jury-box: if any of them draw blood, the jury must strike the blow. And it may be further observed, that this latitude of speech is indirectly of no small service to the ends of justice, by the terrors it holds out to persons who would have no compunction in speculating upon the chances of fraudulent litigation, but are sufficiently worldly and sensitive to shrink from a public and unrestrained exposure of their iniquity.

In judging of an Irish barrister's capacity for the higher orders of forensic eloquence, it is but just to remember, that in that country great occasions are extremely rare; and hence,

* William Draper Best was educated at Oxford, called to the bar in 1789, rose into good practice, became Sergeant-at-Law in 1800, and soon after was made Chief-Justice of Wales and Solicitor-General. In 1802, he entered Parliament, where he voted on the liberal side. In 1819, he was knighted and placed on the bench as one of the Justices of the King's Bench, and in 1824, was made Chief-Justice of the Common Pleas, which he resigned in 1825, when he was called to the House of Lords. He was a good advocate, a skilful lawyer, an indifferent legislator, an inconsistent politician, and occasionally so partial on his summing-up as to be called the "Judge-Advocate." He was very irritable while on the bench, owing to bodily disease.— M.

no doubt, a habit that prevails there of speculating upon the effects that particular individuals would produce, were they only supplied with opportunities commensurate with their powers. It was thus when the Queen's case was raging, that the national pride of the Irish bar broke out in vain regrets that one of their Crown officers, a man of surpassing qualifications for the conduct of such a cause, should not have been afforded such an opportunity of rising to the highest summit of what I may call the conjectural fame that he enjoyed in his profession. They pictured to themselves Charles Kendal Bushe, appearing at the bar of the House of Peers, as the presiding counsel for the Crown upon the trial of that imperial issue, and uniting to every solid requisite for the discharge of such a duty, a collection of peculiar attributes, that seemed as if expressly designed for swaying the decision of such a tribunal on such an occasion. They saw him there with his matured professional skill and chastened eloquence — his fine imposing presence — his rich, sonorous voice — his masterly powers of countenance, whether he spoke or listened — his profound, unremitting by-play, now refuting by an indignant start, now enforcing by a moral shudder — his elevated courage, and natural grace of gesture, tone, sentiment, and diction, in not one of which the most finished courtier of them all could have detected a provincialism. Considering all these, and the subject, and the auditory, the admirers of this eminent and accomplished person completed (and perhaps not unjustifiably) the ideal picture, by representing to themselves as the final issue, the torrent of popular indignation successfully stemmed, and the imperial diadem wrested from the brow of the royal defendant.

A similar feeling prevailed among many with respect to Mr. Wallace, upon the occasion of the only political case of any moment that has in latter years occurred in Ireland — the trial of the rioters at the Dublin theatre. It was one of the singularities of that case, that the popular feeling was all on the side of the prosecution, and that, with the exception of the Attorney-General [Plunket], none of the counsel for the Crown were animated by a warmer sentiment than a determi-

nation to perform an unwelcome duty. That duty the Solicitor General [Joy], who spoke to the evidence, performed with legal ability and unquestioned integrity. No one could accuse him of the insidious suppression of any doctrine or argument that bore upon the case; but it was impossible for him to be eloquent. All his passions and prejudices were against his cause, and he had not the flexibility of temper to assume a tone of indignant energy of which he was unconscious. It is, therefore, easy to account for the general wish that such a man as Mr. Wallace had supplied his place. He would not have allowed himself to have been entrammelled by any personal or official restraints, but, giving the fullest scope to all his powers, and superadding his authoritative denunciations as an individual to his invectives as an advocate, would have the jury feel (and this was what was wanted) that they were themselves upon their trial, and must be held by the public to be accomplices in the factious proceeding against which they should hesitate to pronounce a verdict of conviction.

The personal determination of character and practical efficiency of talent for which Mr. Wallace is so distinguished, have been confined almost exclusively to his professional exertions; but the mention of those qualities brings to my recollection one rather memorable occasion upon which they were called into action, and with a suddenness of result that can not be duly appreciated by any who were not actual witnesses of the scene. In the beginning of the year 1819, the friends of the Catholic cause, considering that the time had arrived when the sense of the Protestant inhabitants of the Irish metropolis might be safely taken upon their question, determined, after much anxious deliberation, that a public meeting of that portion of the community should be convened for the purpose of recording their sentiments in the form of a petition to Parliament for Emancipation. Though pretty confident of success, they foresaw that the Orange faction would rise *en masse*, to interpose every kind of obstruction to so new and obnoxious an experiment. To prevent this, or, at the worst, to be prepared for it, preliminary measures were taken for giving the proposed assemblage every possible degree of

popular, and even of aristocratic *eclat*. The attendance of the Duke of Leinster and several other peers was secured. The name of Grattan stood at the head of a list of patriotic commoners. To these were added some leading men from the Bar, and many persons of opulence and weight from the commercial classes.

Such a mass of respectability, it was hoped, would protect the meeting from any factious obstruction; but among the precautionary arrangements, there was one conspicuous novelty that inevitably provoked it. The Lord-Mayor of Dublin (Alderman M'Kenny*), with a courage that did him infinite honor, consented to call the meeting, and take the chair. The Rotunda was fixed upon as the most convenient place for assembling; and it had the farther attraction of being, from its associations with the memory of the old volunteers of Ireland, a kind of consecrated ground for civil purposes. But the offence was commensurate. That a chief magistrate of the city of Dublin, the corporation's "own anointed," should be so lost to all sense of monopoly and intolerance, as to give the sanction of his presence at such a place, on such an occasion, was an innovation of too perilous example to pass unpunished. The aldermanic body quivered with indignation; the Common Council foamed with no common rage; the corporate sensibilities of the minor guilds burst forth in vows and projects of active vengeance. Before the appointed day arrived, it was matter of notoriety in Dublin, that a formidable plan of counteraction had been matured, and was to be put into execution.

On the morning of the meeting, some of the principal requisitionists assembled at Charlemont house to make the necessary arrangements for the business of the day. They continued there until it was announced that the Lord-Mayor had arrived, and was ready to take the chair, when they proceeded through the adjoining gardens of Rutland square, toward one of the back-entrances of the Rotunda. There was something peculiarly dispiriting in their appearance, as they slowly and

* Thomas M'Kenny, born July, 1770; created a baronet, September, 1831; died October, 1849.—M.

silently wound along the narrow walks, more like a funeral procession than a body of men proceeding to bear a part in a patriotic ceremony; but every sentiment of popular ardor was chilled by the apprehension that an effort, from which the most beneficial results had been anticipated, might terminate in a scene of disgraceful tumult.

Even the presence of Grattan, who was in the midst of them, had lost its old inspiring influence. His name, his figure, his venerable historic features, his very dress—a threadbare blue surtout, of the old Whig-club uniform, buttoned closely up to the chin, and giving him something of the air of a veteran warrior: all these recalled the great national scenes with which his genius and fame were identified. But the more vivid the recollection, the more powerful the present contrast. The despondency of age and of declining health had rested upon his countenance. Instead of the rapid and impatient movements with which, in the days of his pride and strength, he had been wont to advance to the contest, launching defiance from his eye, and unconsciously muttering to himself, as he paced along, some fragments of his impending harangue, all was now tardiness, and silence, and quietude, even to collapse.

As they approached the building, the cheerings of the multitude within burst forth through the open windows. The well-known sound for a moment roused the veteran orator; but the impression was evanescent. There was no want of excitement in the spectacle within. Upon entering the grand room of the Rotunda, they found about four thousand persons, the majority of them red-hot Irish politicians, congregated within its walls. The group I have described made their way to the raised platform, upon which the Lord-Mayor had just taken the chair, and where a vacant space upon his right had been reserved for them. The left was occupied by a detachment from the Corporation, headed by a formidable Alderman.

The Lord-Mayor opened the business of the day by reading the requisition, and explaining his reasons for having called the meeting. "Murmurs on the left," in the midst of which up rose the leader of the civic host to commence the precon

certed plan of operations. Without preface or apology, he called upon the chairman to dissolve the meeting. He cautioned him, as the preserver of the public peace, not to persevere in a proceeding so pregnant with dangers to the tranquillity of the city. Let him only look at the assemblage before him, which had been most unadvisedly brought together under the sanction of his name, and reflect, before it was too late, upon the frightful consequences that must ensue, when their passions should come to be heated by the discussions of topics of the most irritating nature. Was it for this that the loyal citizens of Dublin had raised him to his present high trust? Was it to preside over scenes of riot, perhaps of——" Here the worthy alderman was interrupted, according to his expectations, by tumultuous cries "to order." A friend from the left rushed forward to sustain him; a member of the opposite party jumped upon the platform to call *him* to order, and was in his turn called to order by a corporator.

Thus it continued until half a dozen questions of order were at once before the chair, and as many persons simultaneously bellowing forth their respective rights to an exclusive hearing. To put an end to the confusion, the chairman consented to take the sense of the meeting on a motion for an adjournment, and having put the question, declared (as was the fact) that an immense majority of voices was against it. This was denied by the left side, who insisted that regular tellers should be appointed. A proposition, at once so unnecessary and impracticable, revealed their real object, and was received with bursts of indignation; but they persevered, and a scene of terrific uproar ensued. It continued so loud and long, that those who surrounded the chair became seriously alarmed for the result. They saw before them four thousand persons, inflamed by passion, and immured within a space from which a speedy exit was impossible. In addition to the general excitation, violent altercations between individuals were already commencing in remoter quarters of the meeting, and if a single blow should be struck, the day must inevitably terminate in bloodshed.

At this moment, when the tumult was at its height, two fig

ures particularly attracted attention;—the first from its intrinsic singularity—it was that of a noted city brawler (his name I now forget) who had contrived to perch himself aloft upon a kind of elevated scaffolding that projected from the loyal corner of the platform. He was a short, sturdy, half-dwarfish, ominous-looking caitiff, with those peculiar proportions, as to both person and features, which, without being actually deformed, seem barely to have escaped deformity. There was a certain extra-natural lumpish confirmation about his neck and shoulders, which gave the idea that the materials composing them must have been originally intended for a hump; while his face was of that specific, yet non-descript kind, which is vulgarly called a phiz—broad, flat, and sallow, with glaring eyes, pug nose, thickish lips, and around them a circle of jet-black (marking the region of the beard) which neither razor nor soap could efface.

The demeanor of this phenomenon, who brandished a crab-stick as notorious in Dublin as himself, and wore his hat with its narrow upturned brim inclined to one side (the Irish symbol of being ready for a row) was so impudent and grotesque as to procure for him at intervals the undivided notice of the assembly. His corporation friends let fly a jest at him, and were answered by a grin from ear to ear. This was sure to be followed by a compact full-bodied hiss from another quarter of the meeting, and instantaneous was the transition in his countenance, from an expression of buffoonish archness to one of almost maniacal ferocity. This "comical miscreant,"* contemptible as he would have been for any other purpose, proved a most effective contributor to the scene of general disturbance. Apart, at the opposite extremity of the platform, in view of this portent, and exposed to his grimaces and ribald vociferations, sat Henry Grattan, a silent and dejected spectator of the turmoil that raged around him. The contrast was at once striking and afflicting, presenting, as it were, a visible

* This was a phrase taken from speeches and letters of O'Connell, in 1825, during a dispute with Cobbett, in which a great deal of abuse passed on both sides. O'Connell had rather the best of the quarrel, his vocabulary of stinging adjectives being very large indeed.—M.

type of the condition of his country, in the triumph of vulgar and fanatical clamor over all the efforts of a long life, exclusively devoted to her redemption.

But to resume:—The confusion continued, and the symptoms of impending riot were becoming momentarily more alarming, when Mr. Wallace (to whom it is full time to return) had the merit of averting such a crisis. In a short interval of diminished uproar, one of the most prominent of the disturbers was again on his legs, and recommencing, for the tenth or twentieth time, a disorderly address to the chair, when Mr. Wallace, who had not previously interfered, started up from his seat beside the chairman, advanced toward the speaker, and called *him* to order. The act itself was nothing—the tone and manner everything. There was in the latter a stern, determined, almost terrific energy, which commanded immediate and universal silence. In a few brief sentences, he denounced the palpable design that had been formed to obstruct the proceedings, exposed the illegal and indecent artifices that had been resorted to, and insisted that the parties who were dissatisfied with the decision of the chair on the question of adjournment, should forthwith conform to the established usage in such cases, and leave the room. The voice of authority, and something more, in which this was said, produced the desired effect. The multitude shouted forth their approbation. The civic chieftain, after performing astonishing feats of aldermanship, judged it prudent to retire without a further struggle. He was followed by his corps of discontents, about fifty in number, and the business of the day, after a suspension of two hours, proceeded without interruption.

Mr. Wallace is one among the few of the present leading men at the Irish Bar, who have dedicated much time to literary pursuits. His general reading is understood to be various and extensive. In the year 1796, two years before he was called to the Bar, he composed an essay on the variations, in the prose style of the English language, from the period of the Revolution, which obtained the gold medal prize of the Royal Irish Academy. It is written with much elegance, is entirely free from juvenile or national finery, and bears evident marks

of those powers of discrimination which were afterward to procure for the possessor more substantial results than academic honors. In the same year he published a treatise of considerable length upon the manufactures of Ireland. The latter I have never seen, but I have heard an anecdote regarding it which may be mentioned as illustrative of the purity with which Irish academic justice was in those days administered. It was originally composed, like the former, as a prize-essay. The academy hesitated between it and the rival production of one of their members, a Mr. Preston, and referred the decision to a committee. The committee deputed the task to a sub-committee, and the latter to three persons, of whom Mr. Preston was one. The prize was accordingly adjudged to that gentleman's production, and Mr. Wallace revenged himself of the academy by publishing his work, and prefixing to it a detailed account of the transaction.

In concluding my notice of this able person, I have only to add, that if he should ever enter Parliament, it may be safely predicted that his career there will be neither "mute" nor "inglorious." His manliness, integrity, and determination, as well as his general talents, would be soon found out in that assembly, and insure him upon all occasions a respectful hearing. The enlightened portion of the Irish administration would find in him a strenuous supporter of no ordinary value; and the country at large (independently of the benefit of his other exertions) would have a security that no hackneyed and scandalous misrepresentations of its condition, no matter from whose lips they might come, would be allowed to pass in his presence without peremptory contradiction and rebuke.

WEXFORD ASSIZES.

I AM an Irish Barrister, and go the Leinster Circuit.* I keep a diary of extra-professional occurrences in this half-yearly round, a sort of sentimental note-book, which I preserve apart from the *nisi prius* adjudications of the going judges of assize. In reading over my journal of the last Circuit, I find much matter which with more leisure I could reduce into better shape. I shall content myself for the present with an account of the last assizes, or rather of myself during the last assizes of Wexford, presuming that I do little more than transcribe the record of my own feelings and observations from a diary, to which, as I have intimated, they were committed without any intention that they should be submitted to the public eye. This will account for the character of the incidents, and the want of classification in their detail.

I set off from Dublin on the 17th of July, 1825, in the mail-coach. In England, a barrister is not permitted to travel in a public vehicle, lest he should be placed in too endearing a juxtaposition to an attorney. But in Ireland no such prohibition exists; and so little aristocracy prevails in our migrations from town to town, that a sort of connivance has been extended to the cheap and rapid jaunting-cars, by which Signor Bianconi (an ingenious Italian) has opened a communication between almost all the towns in the south of Ireland.† Be it,

* Sheil, who went the Leinster Circuit, wore no disguise in this sketch, which he originally named, "Diary of a Barrister during the last Wexford Assizes."—M.

† Charles Bianconi established a system of cheap and rapid travelling in Ireland, on what are called Outside Jaunting-cars, which he spread all over the country, from 1823 until the advent of Railwayism, which has necessarily con-

however, remembered, that it was not in an Irish *vis-a-vis,* that I passed through the ancient city of Ferns. Doctor Elrington, the present Bishop of Clogher, resides in its immediate vicinity; his palace is visible from the road.

A word or two about the doctor.* He had been Provost of Trinity College, and was raised to this important office by Mr. Perceval, to whom he recommended himself by some mystical lucubrations upon the piety, poverty, and simplicity of the Irish Church. They were distinguished by a laborious flimsiness, and exhibited a perfect keeping between the understanding of the writer and his heart: they smelt of a lamp which was fed with rancid oil. The present Archbishop of Dublin† had been the competitor of Elrington for the first station of the University. His eminent abilities gave him in his own opinion, and I should add, in the judgment of the University, a paramount claim. But at that time he had the plague-spot of liberality in his character. The stain has been since effaced, but it was still apparent when he presented himself to the Minister.

Doctor Magee used to give a somewhat amusing account of his reception by the flippant personage who was then at the head of the State. He threw out some broad hints as to the principles in which the Protestant youth of Ireland ought to be educated; and said that the office had been given away.

tracted his operations. Public convenience and private economy were alike served by Mr. Bianconi, who has made a large fortune, is now a Magistrate in Tipperary (where he has purchased estates), and has served the office of Mayor of Clonmell.—M.

* Dr. Elrington was a great pamphleteer, who distinguished himself by illiberality as Provost of Trinity College, Dublin, and took in a double supply, when he became Bishop. He was reputed to be a good classical scholar.—M.

† Dr. William Magee, born in 1765, was educated at Dublin University, when he became Professor of Oriental languages. In 1806, he was a senior fellow of the College, and, soon after Professor of Mathematics. After being successively Dean of Cork and Bishop of Raphoe, he was made Archbishop of Dublin in 1822. His chief literary work, published in 1801, was on the subject of The Atonement—on this, which obtained great popularity, he attacked Unitarianism with Orthodox zeal, acuteness, and learning. He became strongly anti-Catholic in politics after his last preferment, and disappointed the hopes which arose out of his previous moderation. Archbishop Magee died in 1831, aged sixty-six.—M

"Let me see" (said Mr. Perceval, in the Doctor's description), "let me see—yes, his name is Doctor Elrington, I have his pamphlets upon tithes; he has demonstrated their divine origin. How much such men are wanted in these dangerous times!"* The mistake made by the Minister in pronouncing the name of his successful rival (which he hardly knew), produced an increased secretion of gall in the Doctor, to which he used to give vent in many a virulent gibe. At this time he was Mr. Plunket's friend, and his own enemy. But Perceval's admonition was not lost upon him. He perceived that he had taken a wrong course, and, selecting his competitor as his example, speedily improved upon his model. But let him pass.

Doctor Elrington, while a fellow of the college, published an edition of Euclid. A schoolboy might have given it to the world. But such is the state of the Irish Protestant University, that by constituting an exception to the habits of intellectual sloth which prevail over that opulent and inglorious corporation, even an edition of Euclid confers upon a fellow of the university a comparative title to respect.

When Provost, he was a rigid disciplinarian. He attracted public attention by two measures: he suppressed the Histori-

* Spencer Perceval, son of the Earl of Egmont, was born in 1762, practised a Chancery barrister, and was brought into Parliament by Mr. Pitt. He became leading Counsel on the Midland Circuit. When Pitt was about fighting a duel with Mr. Tierney, he told Lord Harrowby that, if he fell, Perceval was the most competent person to succeed him as Prime Minister and opponent to Fox—an opinion of his powers few else have held. In 1801, he became Solicitor-General under Addington's Ministry, resigned office on Pitt's death, and became Prime Minister on the death of the Duke of Portland in 1807, which was on May 11, 1812, when he was shot through the heart, in the lobby of the House of Commons, by a madman named Bellingham, who was tried, condemned, and executed. On his death an annuity of two thousand pounds sterling a year was voted to his wife and fifty thousand pounds sterling for her twelve children; the lady married again, with very little delay. Perceval, with an admirable private character (which made Moore write on his death

"We forgot in that hour how the statesman had erred,
And we wept for the father, the husband, the friend"),

was intolerant in politics and religion. Dying as he did, by the violent hand of an assassin, even his opponents mourned for him —M.

cal Society, and issued a proclamation against witchcraft. Special orders were given by the Doctor against the raising of the Devil. The library of Trinity College is filled with books of necromancy; and, apprehending that the students might be reduced into a commerce with the Fiend, the Doctor gave peremptory directions, that the ponderous and worm-eaten repertories of the Black art should not be unclasped. A scholar of the house, who appears to have had a peculiar predilection for the occult sciences, complained of the restraint which the Doctor had taken upon himself to put upon his intercourse with the "Prince of the Air," and called the former to account in a visitation, at which Lord Chief-Justice Downes (not very appropriately) presided, as the representative of His Royal Highness the Duke of Cumberland.* I do not recollect the decision of his Lordship upon this important question, but, if I may be allowed to conjecture from his intellectual habits, I can not help suspecting that any appeal to the statutes of James I. must have been conclusive, in his mind, in favor of the injunction against sorcery. Shortly after this exploit against the Devil, the Doctor was raised to the see of Limerick, and upon the detection of his sanctimonious and detestable predecessor,† he was promoted to the bishopric of Clogher. He resides in a noble palace, which arrests the attention of the traveller in his way to Wexford, and affords an illustration of that apostolic poverty, in which the teachers of the reformed religion embody its holy precepts.

Wexford is a very ancient town. It was formerly surrounded by walls, a part of which continue standing. They are mantled with ivy, and are rapidly mouldering away; but must once have been of considerable strength. The remains of an old monastery are situate at the western gate.

* The Duke of Cumberland, fifth son of George III., succeeded to the Crown of Hanover, in 1837, on the death of William IV., and died in 1851. In England he was extremely unpopular, but the Hanoverians liked and regretted him. He was elected Chancellor of Trinity College, Dublin, in 1805, and for many years Grand Master of the Orangemen of Great Britain and Ireland.—M.

† Percy Jocelyn, son of the Earl of Roden, was Bishop of Clogher, and was deposed by his clergy, in 1824, for having been detected in the commission of an unnatural crime.—M.

By a recent order of vestry (at which Catholics are not permitted to vote), a tax was laid on the inhabitants for the erection of a new church upon the site of the monastic ruin. Upon entering Wexford I missed a portion of the old building. I walked into its precincts, and found that some of the venerable arches of the ancient edifice had been thrown down, to make way for the modern structure. The work of devastation had been going on among the residences of the dead. A churchyard encompasses these remains of Christian antiquity; and I observed that many a grave had been torn up, in order to make a foundation for the new Protestant church. The masons who had been at work the preceding day, had left some of their implements behind them. To behold the line and the trowel in the grave, would be at any time a painful spectacle; but this violation of the departed becomes exasperating to our passions, as well as offensive to our religious sentiments, when it is occasioned by an invasion of the ancient and proper demesne of the almost universal faith of the people. Fragments of white bones had been thrown up, and lay mingled with black mould upon the green hillocks of the adjoining dead. "Why should not that be the skull of an Abbot?" I exclaimed, as I observed the fragments of a huge head which had been recently cast up: "little did he think, that, in the very sanctuary of his monastic splendor, he should ever be 'twitched about the sconce' by a rude heretical knave, and that a Protestant shovel should deal such profanation upon a head so deeply stored with the subtilties of Scotus, and the mysteries of Aquinas!"

After passing some minutes in "chewing the cud of these bitter fancies," I became weary of my meditations among the dead, and strolled toward the Quay of Wexford, upon which both church and chapel had poured out all their promiscuous contents. Here was a large gathering of young damsels, who, after having gone through their spiritual duties, came to perform the temporal exercises of an Irish Sabbath. There was a great display of Wexfordian finery. The women of Wexford of the better class have, in general a passion for dress, to which I have heard that they sacrifice many of their domestic com-

forts. This little town is remarkable for a strange effort at saving and display. It is not uncommon to see ladies, who reside in small and indifferently furnished lodgings, issuing from dark and contracted lanes in all the splendor which millinery can supply. This tendency to extravagance in dress is the less excusable, because Nature has done so much for their faces and persons, as to render superfluous the efforts of Art. The lower, as well as higher classes, are conspicuous for beauty.

There are two baronies in this county, in one of which the town is situate, the inhabitants of which are descended from a colony planted by the first English settlers, who never having intermingled their blood with the coarser material of the country, have retained a perfectly characteristic physiognomy, and may be distinguished at a glance from the population of the adjoining districts. The Irish face, although full of shrewdness and vivacity, is deficient in proportion and grace. Before you arrive in Wexford, in traversing the craggy hills which overhang it, you meet with countenances at every step, which are marked by a rude energy and a barbarous strength. Through the clouds of smoke that roll from the doors of a hovel of mud, you may observe the face of many an Hibernian damsel glowing with a ruddy and almost too vigorous health, made up of features whose rudeness is redeemed by their flexibility and animation, with eyes full of mockery and of will, and lips that seem to provoke to an encounter in pleasantry, for which they are always prepared. The dress of the genuine Irish fair is just sufficient to conceal the more sacred of their symmetries, but leaves the greater portion of their persons in a state of brawny and formidable nudity. But when you descend from the hills to the eastern coast, you are immediately struck with a total dissimilarity of look, and can not fail to notice a peculiarly English aspect.

I am disposed to think the young women of the lower class in the baronies of Forth and Bargy, even more graceful and feminine than the most lively of the English peasantry, whom I have ever had occasion to notice. Their eyes are of deep and tender blue, their foreheads are high and smooth, their cheeks have a clear transparent color, and a sweetness of

expression sits on their full fresh lips, which is united with perfect modesty, and renders them objects of pure and respectful interest. They take a special care of their persons, and exhibit that tidiness and neatness in their attire, for which their English kindred are remarkable. I have often stopped to observe a girl from the barony of Forth, in the market of Wexford, with her basket of eggs or chickens for sale, and wished that I were an artist, in order that I might preserve her face and figure. Her bonnet of bright and well-plaited straw just permitted a few bright ringlets to escape upon her oval cheek: over her head was thrown a kerchief of muslin to protect her complexion from the sun. Her cloak of blue cloth, trimmed with gray silk, hung gracefully from her shoulders. Her boddice was tightly laced round a graceful and symmetrical person. Her feet were compressed in smart and well-polished shoes; and as she held out her basket to allure you into a purchase of her commodities, her smile, with all its winningness, was still so pure, that you did not dare to wish that she should herself be thrown into the bargain.

It is clear that the peasantry of these districts are a superior and better-ordered tribe. Industry and morality prevail among them. Crime is almost unknown in the baronies of Forth and Bargy. The English reader will probably imagine that they must be Protestants. On the contrary, the Roman Catholic religion is their only creed, and all efforts at proselytism have wholly failed. It has often been considered as singular that the Irish rebellion should have raged with such fierceness among this moral and pacific peasantry. Some are disposed to refer the intensity of their political feelings to their attachment to the Catholic religion; but I believe that the main cause of the temporary ferocity into which they were excited, and in the indulgence of which they for a while threw off all their former habits, had its origin from the excesses of which a licentious soldiery were guilty, and that the dishonor of their wives and daughters impelled them to revenge and blood.

I have extended my description of the inhabitants of these two Saxon districts (for they may be so called) beyond the limits I had proposed. But I write in a desultory fashion, upon

matters which are in themselves somewhat unlinked together While I was wandering up and down the quay of Wexford, and, after having fed my eyes to satiety, was beginning to yield to the spirit of oscitation which is apt to creep upon a lawyer on the sabbath, a gentleman had the goodness to invite me to accompany him up the river Slaney, to a fine wood upon the banks of the stream, where he proposed that his party should dine upon the refreshments with which his barge was copiously stored. I gladly took advantage of this very polite invitation; the wind was favorable, and wafted us along the smooth and glassy stream with a rapid and delightful motion. The banks are remarkable for their beauty. On the right hand, as you proceed up the river, the seat of the La Hunt family offers a series of acclivities covered with thick and venerable wood. The temperature of the air is so soft, and the aspect so much open to the mid-day sun, that shrubs which are proper to southern latitudes grow in abundance in these noble plantations. At every turn of the stream, which winds in a sheet of silver through a cultivated valley, landscapes worthy of the pencil of Gainsborough or of Wilson are disclosed. Castles, old Danish forts, the ruins of monasteries, and, I should add, the falling halls of absentees, appear in a long succession upon both sides of the stream.

I was a good deal struck with a little nook, in which a beautiful cottage rose out of green trees, and asked who was the proprietor. It had been built, it seems, by Sir H. Bate Dudley, the former proprietor of the "Morning Herald," who resided for some time upon a living given to him in this diocese. I was informed that he was respected by all classes, and beloved by the poor.* His departure was greatly regretted. Not far from Sir H. Bate Dudley's cottage is the residence of Mr. Devereux, of Carrick Nana. He is said to be descended

* Henry Bate Dudley (born 1745, died 1824) was a clergyman, who spent most of his time in literary, political, and convivial society, and (despite his sacred profession) fought several duels! He wrote some plays, and founded two daily newspapers yet published in London — the *Morning Post* and the *Morning Herald*. He was made a baronet and obtained valuable church preferment from the influence these Journals gave him.— M.

from a brother of William the Conqueror, and certainly belongs to one of the most ancient families in Ireland. The political race of this gentleman is so honorably ardent, that he has gone to the expense of collecting portraits of all the parliamentary friends of Emancipation, and devoted a gallery to the purpose.

After passing his seat, we saw Mount Leinster, towering in all its glory before us, with the sun descending upon its peak. Having reached the point of our destination, we landed in a deep and tangled wood, and sat down to dinner in a cave which overhangs the stream. While we were sitting in this spot, which I may justly call a romantic one, a sweet voice rose from the banks beneath, in the music of a melancholy air. It was what I once heard a poor harper call "a lonesome air." I do not know whether certain potations compounded of a liquor which, in our love of the figurative, we have called "mountain dew," might not have added to the inspiration of the melody. When it ceased, we proceeded to discover the fair vocalist who had uttered such dulcet notes, and whom one of us compared to the lady in "Comus." What was our disappointment, when, upon approaching the spot from which the music had proceeded, we found an assembly of sabbatarian wassailers, who gave vent to a loud and honest laugh as we arrived! The echoes took up their boisterous merriment, which reverberated through the woods and hills. The songstress who had so enchanted us was little better than a peasant-girl.

These good people, who were sitting in a circle round a huge jug of punch, had resolved to participate in the beauty of Nature, of which we are all tenants in common, and, like ourselves, had roved out from the town to dine in the wood. They entered their boat at the same time that we pushed off from the bank, and accompanied us. It was now evening. The broad water was without a ripple. The sun had gone down behind Mount Leinster, and a rich vermilion was spread over the vast range of lofty and precipitous hills that bound the western horizon. The night was advancing from the east, toward which our boats were rapidly gliding. The woods which hang upon the banks, had thrown their broad shadows across the stream. We reached the narrow pass where the remains of a palace of

King John, which is still called "Shaun's Court," stand upon the river, while the Tower of Fitzstephen rises upon the other bank. This was the first hold raised by the English upon their landing. It is built on a rock, and commands the gorge in which the Slaney is at this point narrowly compressed. While our barge was carried along the dark water, the fair vocalist, who was in the other boat, was prevailed upon to sing an Irish melody: our oars were suspended. Without any knowledge of music, she possessed a fine voice, and was not destitute of feeling. She selected an old Irish air, to which Moore has appropriately allied the misfortunes of Ireland. Wexford is the birthplace of the poet;* and as his beautiful words passed over the waters, I could not avoid thinking that in his boyhood he must often have lingered amidst the hills which surrounded us, in which the liveliness of Nature is associated with so many national recollections. It is not impossible that his mind may have taken its first tinge from these scenes, which it is difficult for even an ordinary person to contemplate without a mournful emotion. The enchanting melancholy of the air, which is commonly called "The Coulin," and which was sweetly and inartificially sung, went deeply into our hearts.† The impression left by the poetry and the music, which were so well assisted by a beautiful locality, did not soon pass away.

While our spirits were still under the influence of the feelings which had been called forth by these simple means, the lights of the town of Wexford were descried. As we approached, I perceived the arches of the bridge, which stretches its crazy length from the town to the opposite side of the river. It was upon that bridge that the infuriated insurgents, upon becoming masters of Wexford, collected their prisoners, and murdered them in what I was going to call cold blood: but the

* This is an error. Thomas Moore's "old gouty grandfather, Tom Codd" (as mentioned in the poet's auto-biography) lived in the Corn Market, Wexford, and Moore himself states that his birth occurred on the 28th May, 1779, at No. 12 Aungier street, Dublin. He died at Sloperton Cottage, Wiltshire, England, on Feb. 26, 1852.—M.

† The beautiful Melody alluded to, is that commencing "Though the last glimpse of Erin with sorrow I see."—M.

phrase would be an inappropriate one. The passions of the people, which had been heated to the utmost intensity in the course of that frightful contest, had not lost their rage at the time that they were guilty of that terrific slaughter.

A gentleman who sat by my side had attested most of the events to which I am alluding. As we neared the memorial of that horrible event (for the bridge of Wexford has almost become impassable, and scarcely serves any other purpose than that of preserving the recollection of the sanguinary misdeeds enacted upon it), I inquired the details of the massacre. He told me that some ninety persons, of both sexes, were placed by the rebels upon the bridge; that their fate was intimated to them; and that they were desired to prepare for death. The Catholic clergy interposed, without effect. The insurgents were bent upon revenge for the wrongs which most of them had individually sustained, and ferociously appealed to the blood upon their own doors in vindication of what they had resolved to perpetrate. Their unfortunate victims fell upon their knees, and cried out for mercy. "You showed it not to our children," was the answer; and to such an answer no replication can be given in a civil war. At the appointed moment, the gates of the bridge were thrown open, and the work of death was almost instantaneously completed.

We had now approached sufficiently near the bridge to perceive its mouldering timbers with distinctness, and to hear the plash of the waters against its rotten planks. I am not guilty of any affectation when I say that the sound was peculiarly dismal. The continuous dash of the wave at all times (whatever be the cause, and I leave it to metaphysicians to assign it) disposes the mind to a mournful mood. Perhaps it is that the rush of water, of which we are warned by its momentary interruption, suggests the ideas of transitoriness, and presents an image of the fleeting quality of our existence. But there was something in the sound of the river, as it broke upon the piles of decayed and bending timber that sustain the bridge of Wexford, of a peculiarly melancholy and more than commonplace kind. I could not help thinking, as I surveyed that decayed but still enduring fabric (why does not the tide wash

it into the sea?), that upon those shattered boards, and weed-mantled planks, there had been many a wretch who clung with a desperate tenacity for a little longer life, until a thrust of the insurgent's pike loosened the grasp of agony, and the corpse, after whirling for a moment in the eddies beneath, was wafted into the ocean, and became the sea-bird's perch.

Such were the feelings with which I could not help looking upon this memorial of the shame and disasters of my country. A few days after, there occurred in this very spot a scene which tended rather to rivet than to weaken the political interest with which the bridge of Wexford ought to be surveyed. Mr. O'Connell was brought as special counsel to Wexford: the people determined to pay him all the honors which it was in their power to bestow.

It was decided that an aquatic procession, if I may use the phrase, should meet him at Fitzstephen's Tower, and that he should be attended by the citizens from the ground where the English had fixed the foundations of their dominion. The Counsellor was accordingly met, at the pass which I have described, by a fleet of boats, and was forced to step into a triumphal barge, manned by the choicest rowers that could be procured. They were dressed in green jackets lined with gold. A large flag of the same emblematical color, with a harp without a crown, floated from the stern. An immense multitude were assembled upon the banks, and a vast number of boats crowded the river. The Counsellor entered the patriotic barge with a show of reluctance, and took his seat. Three cheers were given.

> "Considunt rastris; intentaque brachia remis:
> Intenti expectant signum, exsultantiaque haurit
> Corda pavor pulsans, laudumque onesta cupido.
> Inde, ubi clara dedit sonitum tuba, finibus omnes
> Haud mora, prosiluêre suis: ferit æthera clamor
> Nauticus: adductis spumant freta versa lacertis."

The spectacle exhibited in Wexford upon this occasion was a striking one. The whole Catholic population poured forth to greet Mr. O'Connell, and thousands gathered upon the quay and bridge of Wexford to hail his arrival. The Protestants,

who find in every incident of this kind an association with the events of 1798, stood with an expression of deep and angry gloom in the midst of all the turbulent exultation of their Popish fellow-citizens. I observed groups of silent and scowling men, whose physiognomies did not permit me to doubt their religion. They muttered a few words to each other, and seemed to gripe their hands as if they felt the yeoman's sabre already in their grasp. The Catholics were either heedless of their anger, or derided its impotence. They were assembled in vast numbers upon the bridge, which tottered beneath their weight. At length the Counsellor's barge came in sight. A cheer followed every stroke of the oar, and at length he reached the point selected for his reception in the city, and stepped from his barge upon the bridge, which, I suppose, in the eyes of the Protestant portion of the spectators, grew red beneath his footsteps. In their disturbed imaginations every footprint was marked with blood.

The assizes opened upon Tuesday, the 19th July, 1825. The judges were the Chief-Justice of the King's Bench, and Mr. Justice Johnson, judge of the Court of Common Pleas. The former regularly goes the Leinster circuit; some of his immediate friends and kindred are upon it. Charles is the name of the Chief-Justice, and the constellated lights, by which he is surrounded, have been called his "wain." It is natural that a feeling of disrelish for this undeviating adherence to Leinster should exist at the Bar, and it is equally natural that Chief-Justice Bushe should disregard it. The ancient residence of his family (which settled in Ireland in the reign of Charles the Second) is situate in the county of Kilkenny. It is for many reasons most dear to him. His attachment to this domestic spot does not arise from a mere idle pride of honorable birth, but takes its origin in a most noble action. Although not bound to do so, he sold his paternal property to pay his father's debts, repurchased it with the profits of his industry and his genius, and now holds the estate of his forefathers by a better title than descent.

Lord Redesdale's nephew, Mr. Mitford, who was deposited in Ireland by his able uncle, has a great talent for drawing.

One of his best pictures hangs over the chimney of the principal room at Kilmurry (the seat of the Chief-Justice) and appropriately represents Sterne's story of "The Sword." The subject was felicitously chosen.* It is impossible that the Chief-Justice should not feel a strong attachment to a mansion which affords an evidence at once of his genius and of his virtues; and it would be strange if he did not exercise the privilege of selection which belongs to his judicial rank in favor of a circuit upon which his own property is situate, in almost immediate contiguity to every town in which it is his office to preside. It is also to be observed, that in Kilkenny he is encompassed by his own near associates and friends; and it is but a just indulgence in a sentiment of virtuous pride, that he should desire to exercise his high functions among those who experience an unaffected pleasure at witnessing the elevation which he has attained.

With respect to the imputed charge of favoritism, the persons who are most disposed to find fault with this eminent individual, can not point out any specific instance in which, from a partiality to the advocate he has manifested the least bias toward the client; and if suitors, upon a calculation of the general frailty of our nature, should indulge in the hope that the leaning of the judge is to be secured by employing the supposed object of his predilection, it were too much to expect that he should offer a homage to suspicion, and, by giving way to it, yield to a certain extent an acquiescence in its justice. For my own part, I am not at all disposed to attach blame to him for persevering in his uniform adoption of their same circuit, as long as judges are permitted by the law to do so. Why should a peculiar exception be made against him? Other judges are equally constant in their local likings, and yet no complaints are made against them.

* In "The Sentimental Journey through France and Italy." It is a beautiful episode, and few descriptions have as much simple pathos as this which brings before us the Marquis, who had deposited his sword, with the States of Rennes, in Brittany, returning after twenty years' pursuit of wealth, in commerce, to reclaim the weapon having rebuilt the broken fortunes of his ancient house.—M.

In England, too, judges are in the habit of going the same circuit without incurring the popular displeasure. While the law stands as it does, no complaint can justly be made of any individual for consulting his own convenience in these regards. It might, however, be matter for consideration, whether the statute which prevented judges from presiding in their own counties, ought not to be re-enacted. That statute which was repealed in Ireland, at the instance, it is said, of the ex-Judge Day,* who was fond of the picturesque, and wishing to visit the Lakes of Killarney twice a year, expressed a solicitude to preside at the assizes of Kerry. Such a wish, when the Union was in concoction, was not to be disregarded. How far it is contrary to public policy to allow of this perpetual return of the same judge to the same circuit, admits of doubt. It is hard for a man of the purest mind to divest himself of preconceptions, formed by intimate and reiterated observation. A judge is apt to take local views where he contracts topical connections, and may consider it necessary to administer justice with more rigor in districts with the habits of criminality of which he may have acquired a peculiar intimacy. A stronger anxiety for the suppression of atrocities in his own immediate vicinage is almost inevitable. Offences committed at our own door appear not only more formidable, but enormous. The blood spattered at our very threshold, leaves behind it a deeper die.

It is, however, but just to add, that if there be any judge, from whose constant attendance of the Leinster circuit, not only no positive evil, but an actual benefit arises, it is Charles Kendal Bushe. As far as my observation extends, he is perfectly impartial. The rank or the religion of parties has no sort of weight with him; and to every case, whatever may be the circumstances attending it, he gives an equal and unbiased hearing. His attention to the interests of the lower orders, evinced by the extraordinary solicitude with which he investigates their rights in the trial of civil bill appeals, is above all praise. It was formerly usual to hear civil bills at the close of the assizes of Clonmel; and the persons interested,

* Judge Day, of liberal politics, was a very intimate friend of Grattan.—M

who are almost always of the humbler class, were kept in anxious and expensive attendance for a whole week upon the court. Poor creatures, whose very being was involved in the result of their appeals, were assembled in a dismal gathering in the town, and, before their causes were heard, had expended nearly the whole amount of the sum decreed against them, in awaiting the capricious pleasure of the judge to reverse the sentence of the inferior tribunal. When this branch of business was called on, the judge was generally impatient to leave the town, and hurried with a careless precipitation through matters which, however insignificant in the mind of the wealthiest suitor, were of permanent moment to the wretched peasants who flocked to the assizes for redress. The Chief-Justice has reformed those crying abuses, and devotes as much consideration to the trial of minor cases as to causes of the greatest magnitude. He has, by introducing this practice, which could not have been established by him without a continued selection of the circuit, conferred signal advantages upon the public.

With respect to the interests of the Bar, although some of his more immediate friends are supposed to derive a benefit from his countenance, it should be remembered, in the first place, that they are persons of high merit; and it should not be forgotten, that to every member of the Bar the Chief-Justice is so undeviatingly polite, that no individual can justly tax him with having done him any immediate wrong. I am much inclined to think, that there is great exaggeration in the esti mate of those advantages supposed to arise from the favor of any judge; and even if I were disposed to accord in the opinion, that individuals can be indebted for any essential portion of their success to the influence of the judicial smile, the accomplished manners, the liberal and enlightened spirit, the great endowments, and the patient industry, of the Chief-Justice, would outweigh, in my mind, every inferior and personal consideration.

Mr. Justice Johnson was joined with the Chief-Justice in the commission. He is the brother of the ex-judge of that name, who wrote the celebrated letters of Juverna, and who

is justly accounted one of the ablest men in Ireland.* The two brothers are men of eminent talents, but wholly dissimilar in character. The political writer is calm, ironical, biting, and sarcastic, and uses shafts of the finest temper, steeped in venom. The present judge is vehement, impetuous, frank, and vigorous; and while the one shoots his finely-feathered arrows, the other whirls about a massive and roughly-knotted club. He is warm and excitable, and effervesces in an instant. This suddenness has its origin in the goodness of his nature. If he suspects collusion or fraud, or gets the least hint of baseness in any transaction, he immediately takes fire. In these moods of explosive honesty, there is something formidable to a person who does not know that the ebullitions of integrity subside as rapidly as they break out; and that, with all these indications of angry temperament, he is in reality a kind and tractable man. At the same time we must beware of wantonly provoking him. "Noli irritare leonem," is a precept which the contemplation of his countenance has sometimes recalled to me. His deep voice that issues upon a hunter of subtleties in a roar, his broad and massive face, a pair of ponderous brows that overhang his flashing eyes, a certain shagginess of look, and a start of the whole body with which he

* There were two Johnsons, William and Robert, sons of an apothecary in Dublin. Both became Judges. Robert, a *puisne* in the Common Pleas, wrote a paper, published by Cobbett, against Lord Redesdale, on circumstances connected with Emmett's trial. This paper was considered a libel, and O'Grady, then Attorney-General, proceeded against Johnson. After a world of argument, Judge Johnson was actually kidnapped, conveyed from Ireland to England, tried for the libel, convicted, and proceedings stopped on condition of his resigning his Judgeship, which he did—receiving twelve hundred pounds sterling annual pension for life. Curran was his Counsel in Ireland, and in a speech in this case he appealed to Lord Avonmore, who presided, in the name of their early friendship, and the happy hours they had passed together. Quoting from Cowley, he said—

'We spent them not in toys, or lust, or wine;
But search of deep philosophy,
Wit, eloquence, and poesy—
Arts which I loved; for they, my friend! were thine."

There had been a coolness between them, but Avonmore sent for Curran, when the Court rose, threw himself into his arms, while his eyes were yet wet with tears, and they were friends again.—M

erects himself, suggest the image of that "fine animal" to my mind. This learned and excitable person, with all this suddenness of emotion, is extremely good and kind-hearted; and, although he may now and then say a rough thing, never aims a deliberate blow at the feelings or reputation of any man. As a criminal judge, he is truly merciful and compassionate; and as a civil one, is learned, sagacious, and acute. In the Court of Common Pleas, he exhibits much more irritability than upon circuits. He is exasperated by the witticisms of Lord Norbury, who says that his brother is like a young horse, and wishes to draw the entire coach himself. To adopt his lordship's illustration, it must be owned that he kicks and plunges when yoked with "that gallant gray," but pulls single exceedingly well.

No trial of any very considerable interest, except that of the action of Nunn against Wyse, which has been detailed in the English papers, occurred during the last assizes: but, in looking over my diary, I find a sketch which I made at the time of a very important case, which was tried by Judge Johnson during a preceding circuit, and which it may gratify the curiosity of the English reader to have transcribed. I allude to the prosecution of Father Carroll, the Wexford priest, who killed a child in a fit of insanity, under circumstances which greatly excited the public attention.

This unfortunate man, for he deserves no harsher appellation, had from his childhood a strong predisposition to insanity. It was with great difficulty that he succeeded in obtaining ordination. His aberrations from reason, before they amounted to actual madness, were connected with the subject of exorcism; and although every person to whom he addressed his arguments in favor of the expulsion of devils, smiled at his extravagance, they still could not help acknowledging that he argued with subtilty upon wrong premises, and confessed that his applications of various passages in the holy writings were ingenious, however mistaken. It was in vain that Father Carroll was told that the power of Satan to possess himself of human bodies ceased with the revelation of Christian truth. He appealed to the Acts of the Apostles, and to incidents sub-

sequent to the death of our Savior, to establish his favorite speculation. A medical man, with whom he was intimate, perceived that the subject had laid such a hold upon his naturally excitable imagination, that he resorted to sedative medicines, to avert the progress of an incipient malady to which he had an organic predisposition. As long as he followed his physician's advice, he abstained from any acts of a very extravagant nature; but unhappily, before the events took place which formed the ground of a capital prosecution, he neglected to take his usual preventives, and became utterly deranged.

He suddenly fancied himself endowed with supernatural authority. This fantastic notion seized upon him in the midst of divine service; after the wild performance of which, he rushed into the public road that led from the chapel to his house, in search of an object for the manifestation of his miraculous powers. He was informed that a laborer by the name of Neill was confined by illness to his bed; and being convinced that he was possessed by an evil spirit, proceeded to effect the removal of the enemy. His singular demeanor attracted the attention of the passengers, who followed him to Neill's cottage; which he had no sooner entered than he precipitated himself upon the sick man, and began his miraculous operations with marvellous vigor. A severe pommelling was the process of exorcism which he regarded as most effectual. This he put into immediate and effectual practice. Neill did not attempt to resist this athletic antagonist of the devil. The unhappy gentleman had determined to take Beelzebub by storm. After a long assault, he succeeded in this strange achievement, and having informed the astonished bystanders that he had taken the enemy prisoner, announced that he should give him no quarter, but plunge him into the Red Sea. The manner of this aquatic ceremony was described by one of the witnesses, who endeavored to illustrate it by his gesture. After uttering various cabalistic words, he whirled himself in a rapid rotation, with his arms outstretched, and then, suddenly pausing, and raising himself into an attitude of importance befitting his new authority, advanced with one arm a-kimbo,

and with the other extended, looking, as the witness expressed it, "as if he held the devil by the tail," and marched with a measured pace and a mysterious aspect, to a bridge upon the river Slaney, where he buried the captive demon in what he took for the Red Sea.

Not contented with this exploit, he exclaimed that Neill had seven more devils, which he was determined to expel from this peculiar object of diabolical predilection. The operation was accordingly repeated with such success, that Neill, after much strenuous expostulation, leaped out of his bed, and exclaimed that he was quite well. This circumstance produced a deep impression upon the crowd, among whom there were some Protestants; and two of the latter, a Mrs. Winter and her daughter, knelt down, and called upon the Lord to assist Father Carroll in the perpetration of the next miracle, which, encouraged by their pious sympathies, he almost immediately proceeded to commit. A poor woman happened to pass along the road, whom he had no sooner observed than he knocked her down, and pursued a mode of exorcism similar to that which I have described, with such effect, that one of the spectators cried out for the people to make way, "as he saw the devil coming out."

This achievement only served to excite the wretched maniac, and impel him to another undertaking of the same kind. He insisted "that the devil had taken possession of Sinot's child." The circumstances which I have detailed, and by no means endeavored to exaggerate, would be merely ridiculous if they were not the result of a malady which humbles human nature; the incident by which they were succeeded, ought to make Democritus shed tears. Sinot had a child who had been affected by fits, and over whom the priest had been requested by its mother to say prayers. This was not only a natural, but, I will add, a reasonable application. It is not supposed by Roman Catholics that the prayers of a clergyman are endowed with any preternatural efficacy; but it is considered that praying over the sick is a pious and religious act. The recollection of this fatal request passed across the distempered mind of the madman, who hurried with an insane alacrity to

Sinot's cabin. It was composed of two rooms upon the ground floor, in the smaller of which lay the little victim. It was indeed so contracted, that it could not contain more than two or three persons. The crowd who followed the priest remained outside, and were utterly unconscious of what he was about to do. The father of the child was not in the house when Father Carroll entered it, and was prevented by the pressure in the exterior room from approaching him; and for some time after the death of the child was wholly unconscious of what had taken place.

No efforts whatever were made to prevent his interference. He was produced as a witness upon the trial, and swore that it did not enter into his thoughts that Father Carroll intended to do the child the least harm. He could not, he said, even see the priest. It is not necessary to describe the manner of the infant's death. It is enough to say that, after uttering a few feeble cries, and calling upon its "mammy," every sound became extinct. The madman had placed the child under a tub, and life was extinguished. It may well be imagined that the trial of this case excited a strong sensation in the county where the rebellion had raged with its most dangerous fury, and from which it will be long before its recollections will have entirely passed away. The Protestant party, forgetting that many of their own sect had taken a partial share in the proceedings, of which they had been, at all events, the passive witnesses, exhibited a proud and disdainful exultation, and affected a deep scorn for the intellectual debasement of which they alleged this event to be a manifest proof; while the Catholics disclosed a festered soreness upon an incident which, they could not fail to feel, was likely to expose them to much plausible imputation.

The Court-house was crowded to the roof by persons of all classes and opinions, among whom the clergy of both churches were conspicuous. It was filled with parsons and with priests. Although there is a certain clerical affinity between ecclesiastics of all sorts, it was not difficult, under a cloth of the same color, to distinguish between the ministers of the two religions. An expression of sly disdain, accompanied with a joyous glit-

ter of the eye, gleamed over the parsons' faces; while the countenances of the Catholic clergy betrayed, in the rude play of their marked and impassioned features, the bitter consciousness of unmerited humiliation.

The dress of the two clerical parties presented a singular contrast. The priests were cased in huge top-boots of dubious and murky yellow and of bespattered black: the parsons' taper limbs were enclosed in tight and sable silk, which, by compressing, disclosed their plump proportions. The nameless integuments of the Popish ministers of the gospel were framed of substantial thickset, and bore evidence to the high trot of the rough-coated nags with which they had descended from the mountains; while the immaculate kerseymere of the parsons' inexpressibles indicated with what nicety they had picked their steps through all the mire of the Catholic multitude round the court. The priests' dingy waistcoats were close fastened to their neckcloths, and looked like an armor of economy; while the parsons' exhibited the finest cambric, wrought into minute and snow-white folds. A ponderous mantle of smoking frieze hung from the shoulders of the priest; while a well-shaped jerkin brought the parson's symmetries into relief. The parson held a pinch of Prince's Mixture between his lilied fingers, while the priest impelled a reiterated and ample mass of Lundifoot into his olfactory organ.* The priest's cheek was ruddy with the keen air of the mountain and the glen, while the faint blush upon the parson's cheek left it a matter for conjecture, whether it proceeded from some remnant of nature, or was the result of the delicate tincture of art. The former sat near the dock, and the latter near the bench.

* Lundifoot was a tobacconist in Dublin who made a large fortune by a snuff called "Irish Blackguard." The name thus originated: one of the workmen left the snuff so long in the oven that it became "high-dried." Lundifoot, detecting the neglect, scolded the man, and damned him for an Irish blackguard. On taking out the snuff, he tried a pinch of it (more in despair than hope), discovered that it had a new and peculiar flavor, and repeated the extra drying on a large scale. The snuff *took*, and when the workman was desired to name it, he called it "Irish Blackguard"—the appellation bestowed on himself.—Prince's Mixture is a dark, moist, scented snuff, much affected by George IV., when Prince of Wales.—M

Besides the clergy of the two religions, I observed another class, whom, from their plain apparel and primitive aspect, I took for the friars of Wexford, but upon looking more closely I discovered my mistake. There was a grimness in their expression, quite foreign from the natural and easy cheerfulness of an Irish Franciscan; and in their disastrous and Calvinistic visages, their long, lank hair, and the gloomy leer of mingled hatred and derision with which they surveyed the Catholics around them, I beheld the ghostly "teachers of the Word."

A pause took place before the trial was called on, which rendered expectation more intense: at length Mr. Justice Johnson directed that the prisoner should be brought forward. Every eye was turned to the dock, and the prisoner stood at the bar. His figure was tall and dignified. A large black cloak with a scarlet collar was fastened with a clasp round his neck, but not so closely as to conceal the ample chest, across which his arms were loosely and resignedly folded. His strong black hair was bound with a velvet band, to conceal the recent incisions made by the Surgeon in his head. His countenance was smooth and finely chiseled; and it was observed by many that his features, which, though small, were marked, bore a miniature resemblance to Napoleon. His color was dead and chalky, and it was impossible to perceive the least play or variety of emotion about the mouth, which continued open, and of the color of ashes. On being called on to plead, he remained silent.

The Court was about to direct an inquiry whether he was "mute of malice," when it was seen by a glance of his eye, that he was conscious of the purport of the question; and by the directions of his counsel he pleaded not guilty. During the trial, which was conducted with the most exemplary moderation by the counsel for the crown, he retained his petrified and statue-like demeanor; and although the heat was most intense, the hue of his face and lips did not undergo the slightest change. The jury found that he had committed the direful act under the influence of insanity. Judge Johnson addressed him in a very striking and pathetic manner. He seemed to me to have blood in his eye for Prince Hohenloe,

whose miracles were then in vogue,* and were supposed, however erroneously, to have contributed to the prisoner's infatuation. This was a mistake: he was organically insane, and was in reality as innocent as the poor child who had perished in his hands. The learned judge opened a masqued battery upon Bamberg,† and some of the shots reached to Rome: but he should not have forgotten that there is a form for exorcism in the Protestant as well as in the Roman Catholic ritual. The religion of England requires a further cleansing, and a new Reformation might be a judicious project.

* Hohenloe was a German prince, who had taken holy orders in the Church of Rome, and was a man of such singular piety that it was believed, in Ireland, from 1822 to 1825, that his prayers, if offered specially in any particular case, would immediately effect a cure — no matter how severe the bodily ailment of the person prayed for. — M.

† The place, in Germany, of Prince Hohenloe's residence. — M

JOHN DOHERTY.

Mr. Doherty, whom his personal claims, assisted I presume by his political connections, and backed by the opposition of Lord Manners, have recommended as the new Solicitor General of Ireland [1827], is six feet two inches high, and "every inch" a very estimable person. Tall as he is, there is nothing contemptuous or haughty in his carriage. He never proudly tosses up his chin, as if to let briefer specimens of humanity pass under. He delights not, like his learned and pious competitor for office, in soaring among the skies for the inward satisfaction of looking down upon other men; neither can he pass with the dexterous versatility of that holy Sergeant [Lefroy] from knotty questions of Chancery practice to the latest authorities for "nonsuiting the devil."* He is, on the contrary, as terrestrial as can be in his habits and intercourse. His manners are friendly and forbearing, and his conversation enlivened by a temperate love of frolic, which endears his society to all those hardened sinners who have not yet been sainted into a due sense of the awful responsibility of joining in a hearty laugh.

As to more important points, he is admitted on all hands to be an extremely clever man. He is, and has been for some

* An English writer of the 17th century has sketched "the character of a perfect lawyer," from which I extract the concluding sentence for the benefit of the learned saints of Ireland. "In a word, while he lives, he is the delight of the courts, the ornament of the bar, the glory of his profession, the patron of innocency, the upholder of right, the scourge of oppression, the terror of deceit, and the oracle of his country; and when death calls him to the bar of Heaven by a *habeas corpus cum causis*, he finds his judge his advocate, nonsuits the devil, obtains a *liberate* from all his infirmities, and continues still one of the long robe in glory."

years, the leader upon his circuit; and since he became so, has given unequivocal proofs that he possesses powers of no ordinary kind in swaying the decisions of a jury, while he has more recently, in the discussion of graver matters in the courts of Dublin, established a character for legal efficiency, which has been erroneously assumed to be incompatible with the more popular attributes of wit and eloquence. Resting upon a confidence in his qualifications, and sustained by a just ambition, Mr. Doherty long since announced by his conduct that he aspired to something more than the partial success which is founded upon the mere emoluments of place. Five years ago he resigned a lucrative office,* of which he found the duties to interfere with his final objects, and, dedicating himself more exclusively to his profession, has prepared himself for those higher honors which he then predicted to lie within his reach.

As an advocate, his general style of treating serious topics has nothing so peculiarly his own as prominently to distinguish him from others. In his addresses to juries he is prompt, orderly, correct, and fluent—rarely attempting to inflame the passions to their highest pitch, but always warmly and forcibly inculcating the principles of common sense and practical good feeling; but when a case requires (in technical parlance) "to be laughed out of court" (and one half of the cases that enter there deserve to be so dismissed), Mr. Doherty exhibits powers of very striking and effective originality. I know of no one that more eminently possesses the difficult talent of enlisting a jury on his side by a continued strain of good-humored, gentlemanlike irony—consisting of mock-heroic encomiums, sarcastic deference, and appropriate parodies upon arguments and illustrations, delivered (as long as gravity is possible) with a most meritorious solemnity of countenance, and a certain artful kindliness of tone, that heightens the absurdity it exposes, by affecting to commiserate it. He is also distinguished for his ability in cross-examination—a quality which has rendered him, in his capacity of crown-prosecutor upon his circuit, a formidable co-operator in the enforcement of the laws.

* Commissioner of Inquiry into Courts of Justice in Ireland—the salary twelve hundred pounds sterling a year.—M.

Recent events have brought this gentleman into prominent view before the Irish public, and have arrayed in his interest a degree of popular favor which is rarely tendered to a future adviser of state-prosecutions. Upon the late vacancy of the Solicitor-Generalship for Ireland (an office upon which its long tenure by the present Lord Chief-Justice Bushe has conferred a kind of classic dignity), a variety of concurring circumstances —the respectability of his personal character—his professional competency—the known liberality of his political opinions—and his parliamentary and private relations with the prime minister of England—pointed out Mr. Doherty as one of the fittest persons to be raised to the situation.

I should be unjust to others if I were to assert that he was in every possible respect the very fittest. I can not overlook, the Irish public did not overlook, the claims of such a man as Mr. Wallace, founded as they are upon eminent professional station, tried public character, and (the penalty of the latter) a long and systematic exclusion from office. Mr. Holmes is another.* He was spoken of, and well deserved it. His professional life has been one continued manly appeal to the public; and the public, doing all they could for him, have placed him at the head of his profession. In his political principles he has been honest and immutable, careless of patronage, and prizing above all things his self-respect. Another of the same school and stamp is Mr. Perrin, a younger man by many years—too young, perhaps, to be raised to professional honors by merit alone.† His name was not mentioned upon the occasion re-

* Robert Holmes, for many years Father of the Irish Bar, made his last public appearance (of any consequence) in the State Trials arising out of the O'Connell Monster meetings of 1843, holding a brief for the Crown. He was then seventy-three years old. He was a lawyer of much ability, a man of great private worth. He was married to Emmett's sister-in-law, and, on suspicion of holding the same political opinions, was arrested, in 1803, and imprisoned for some months. He repeatedly refused a silk gown, preferring his station as a plain barrister to the rank of King's Counsel.—M.

† Louis Perrin, now second Judge of the Queen's Bench, is the son of a teacher of languages in Dublin, who compiled an excellent French Dictionary His family came to Ireland, to avoid persecution in France, as Huguenots. The son, born in 1783, and called to the bar in 1806, speedily became eminent for his knowledge of criminal and revenue law. At Nisi Prius he was also distin-

ferred to, but where a fitness for the public service is in question, I can not in fairness pass it by. He commenced his career at a period (the most dismal in the annals of the Irish bar) when public spirit led to martyrdom; but he was one of the few that were too strong to be suppressed. He prospered in despite of his inflexible adherence to the opinions of his youth, and (a rare event in the life of a liberal Irishman) has lived to see the day when such opinions are no longer to disqualify. I could mention others. Mr. North, for example, was in every way suited by character, acquirements, and enlightened views, to bear a part in a reformed government of Ireland. So was Mr. Crampton,* who, though more absorbed in his profession,

guished, and had a calm, earnest manner (the result of his somewhat saturnine temperament), which had much weight with juries. Strongly supported on the liberal interest, by Lord Anglesey's Government, Mr. Perrin contested the representation of Dublin city, at the general election, in 1831, and was returned with Mr. (afterward Sir Thomas) Harty. Both were soon unseated on petition. At the election in 1832, following the passing of the Reform Bill, Mr. Perrin successfully contested Monaghan County. The whigs made him Solicitor-General, under Attorney-General O'Loghlin. In Parliament, he was an industrious man who carefully attended to the contents and revision of Irish Bills. The Whigs placed him on the Bench, and he has there given general satisfaction. In the O'Connell trials of 1844, he was one of the Judges — the others being Pennefather, Burton, and Crampton. During these State Trials, he did not conceal nor cloak his opinion that many of the objections, as to the legality of some of the proceedings, made by the defendants (O'Connell and his friends) were well founded — but he was overruled by the majority. Judge Perrin has always been a consistent liberal in politics. Between O'Connell and himself there was a warm friendship of long standing. He is now [1854] seventy years of age.— M.

* Charles Cecil Crampton, born in 1783, was called to the bar in 1810. After a very distinguished University career, he first became Fellow of, and subsequently Law-Professor to, Trinity College. He entered Parliament for the borough of Dungarvan, and became Solicitor-General to the Whig Government of 1830. He was raised to the Bench earlier than usual, owing to his being disliked by Mr. O'Connell, who, on that account, could not work pleasantly with him. The Whigs, who then ruled Ireland through O'Connell, made Mr. Crampton a Judge, on the earliest vacancy — to get him out of the way. Judge Crampton never was an eloquent man, but it is supposed that he had as much Nisi-Prius practice as any Irish lawyer, in his time. Long before the Temperance Movement had been commenced by Father Matthew, it was well known that Judge Crampton was a water-drinker. When he became so, on principle, he proved the sincerity of his profession, by starting the valuable contents of

and more circumspect in his avowals, has always had the spirit to keep aloof from the base expedients that led to advancement at the Irish bar.

I have introduced those names without any invidious design toward the immediate subject of the present sketch. On the contrary, I could not easily produce a more complimentary test of his personal and professional estimation than the fact that the postponement of such men to him was acquiesced in without a murmur from the bar or the public. His individual qualifications were fully admitted; and it was further borne in mind that the circumstance of his having a seat in the House of Commons, where one at the least of the law-officers of the Crown should be present to answer for their acts, afforded in his favor an obvious and powerful ground of preference. The Lord-Chancellor of Ireland, however, decided otherwise; and, without presuming to usurp the jurisdiction of the House of Peers, or to emulate its frequent severity toward his Lordship's judicial errors, I may perhaps be permitted to investigate the reasons and the value of his decision in the present instance.

Lord Manners is a nobleman of high English blood, and in his individual capacity, and when left to himself, is marked by all the thoroughbred attributes that belong to his race. As a private man, and apart from politics, he is dignified, courteous, just, and generous. His moral instincts are all aided and enforced by the honorable pride of the peer and the gentleman; he recoils from what is base, not only because it is so, but because to act otherwise would be unworthy of the blood of the Rutlands. Though of a temperament rather irritable than warm, he is fervid and steadfast in his friendships. In his private intercourse there is an easy simplicity of manner, and a condescending familiarity of tone, that not only fascinates his immediate adherents, but even charms down the resentment of the Catholic Squire, to whom he explains the political impossibility of granting him the commission of the peace. Many of these qualities follow Lord Manners to the judgment-seat, but in company with others which greatly detract from their

his wine-cellar into the stream which flows through his villa-demesne in the County Wicklow. Judge Crampton is now [1854] seventy years of age.— M

influence. It is not so easy a matter to be a great judge as a perfect gentleman. That he is the latter, his Lordship's enemies must admit; that he ever could be the former, even Sergeant Lefroy has scrupulously abstained from insinuating—the contrary, and the cause of it, were too palpable.

In the decisions of Lord Manners, even in those now prostrate ones at which the Chancellor of England shook his sides as samples of provincial equity, there were no symptoms of impatient or perverted strength of intellect rushing vigorously to a wrong conclusion. The judicial defects of Lord Manners have another origin—a natural delicacy of mental constitution, which incapacitates him for the labors of legal dialectics. As far as a mere passive operation of the mind is required for collecting a series of naked facts, he shows no deficiency of perception or retention. The settlements, marriages, deaths, and incumbrances, that form the ordinary staple of a chancery suit, he can master with sufficient expertness; and, probably, not the less so from having his attention unmolested during the process by any logical speculations upon their bearings on the issue; but whenever an active effort of thought is wanting for the comprehending and elucidating a complicated question, the organic failing of his mind breaks out. Submit two propositions to him, and, if they be in immediate juxtaposition, he can perceive as quickly as another whether they correspond or differ; but if (as in the case of most legal problems) their relation is discoverable only by a process of intermediate comparisons, no sooner has the advocate advanced a step in the operation, than he is left to proceed alone, the Chancellor remaining stock still at the starting-point, and looking on with a polite, fastidious smile, as if he were rather determined not to be misled than unable to follow. The consequence of this habitual inertness of intellect is, that the fate of every case of difficulty that comes before him must be more or less an affair of chance, depending not so much upon its various aspects, as upon the precise point of elevation to which his mind can be possibly uplifted for the purpose of inspection.

Lord Manners's inaptitude for compound reasoning was well known to Lord Plunket, who would often practise upon it with

the unrelenting dexterity of a hardened logician. It was at once interesting and amusing to see that consummate advocate, when nothing else remained, resorting to a series of subtle stratagems, of which none but himself could discern the object, until the last movement being completed, presented the victim of his craft pent up in an equitable defile from which there was no escaping. If he attempted it on one side, there stood Vesey Junior guarding the pass; if on the other, his own Stackpoole and Stackpoole (as just reversed in the Lords') stopped the way; Hardwicke* and Camden overawed his rear; common sense and the Attorney-General kept annoying his front, until the keeper of the Irish seals, exhausted though unconvinced, would frankly admit that he was "perplexed in the extreme," and, casting a wistful eye at Mr. Saurin, demand four-and-twenty hours to clear his thoughts. It required, however, all the authoritative ability of such a man as the late Attorney-General to extract such an admission from his Lordship. To others, whom there was less risk of provoking by impatience,

* Philip Yorke, born 1690, was the son of an attorney at Dover. Called to the bar in 1714, he entered Parliament in 1718, and (though the youngest counsel on the Western Circuit) was appointed Solicitor-General, in 1720, on the recommendation of Lord Chancellor Macclesfield. In 1723, when he was made Attorney-General, he refused to act on the impeachment of Lord Macclesfield, his first patron, and defended him, in the House of Commons from the attacks of Mr. Sergeant Pengelly. In 1733, was made Lord Chief-Justice of England, and raised to the peerage, as Baron Hardwicke. He was appointed Lord Chancellor in 1737, and during the twenty years he held that office, only three of his judgments were even questioned, and these were confirmed, on appeal, by the House of Lords. In 1754 he was raised to an Earldom, and resigned office in 1756. He died in 1764, leaving a reputation very high indeed. His knowledge of law and equity was great. So were his learning and his ready application of it. Lord Mansfield, Burke, and the noted John Wilkes, each characterized him in the same words—"When Hardwicke pronounced his decrees, Wisdom herself might be supposed to speak." He trifled with literature, which he liked. He wrote "The Legal Judicature in Chancery stated," and, when only two-and-twenty, sent Addison a paper, on the disadvantage of young men going abroad too early: it has the signature Philip Homebred, and forms No. 364 of The Spectator. Sending a present of a hare, he despatched the following epigram with it:—

"Mitto tibi leporem; gratos mihi mitte lepores;
Sal mea commendat munera, vestra sales."—M.

he has always given it to be clearly understood that, when once he had succeeded in forming an opinion, he did not expect to be pressed by arguments against it. In doing this he did not intend to be unjust; he merely shrunk from the mental labor of reinvestigating the grounds of a conclusion, at which, whether right or wrong, he had found it no easy task to arrive: but the consequence of his known irritability upon such occasions has inevitably been to place a counsel in the embarrassing predicament of either surrendering his case before it is thoroughly discussed, or of exposing himself by his perseverance to the imputation of being wanting in respect to the Court.

A Chancellor of Ireland is necessarily a politician, and I confidently believe that Lord Manners had as anxious a wish to be a beneficent statesman as to be a just judge, but it could not be. He came to Ireland with the prejudices of the cradle upon the questions that agitate her; and in a mind like his, such prejudices are fondly cherished as easy of comprehension, and saving the necessity of more laborious investigation. Tell this amiable nobleman that the dread of Popery is no more the foundation of British freedom than the fear of goblins is the basis of religion, and he starts as if you proposed an immediate dissolution of society. Insinuate that the only known method of consolidating an empire is by communicating equal rights and benefits to all its parts, and his prophetic eye beholds a picture inconceivably appalling — the Pope on the throne of Ireland; Doctor Doyle, Archbishop of Dublin;* Mr. O'Connell, Lord High-Chancellor; Mr. Purcel O'Gorman, principal Secretary for Papal affairs; and, worse than all, Mr. Sheil sworn in as Solicitor-General before he was actually more than twenty years at the bar!

This chronic distemper of the mind has influenced almost

* The Reverend James Doyle, D. D., Roman Catholic Bishop of Kildare and Leighlin, was a very eminent writer on polemics and politics. His examination, in 1825, on the State of Ireland, taken before a Committee of the House of Lords, was full of sound information, and excited general admiration. His writings chiefly appeared with the signature J. K. L.—the initials of his own Christian name and that of his diocese. Of Bishop Doyle a further notice will be found on page 382.— M.

all Lord Manners's political acts: his government of the magistracy, his recommendations to office, and (what in Ireland may be called a political act) the selection of his personal favorites. Even the speculators in a preposterous theology, which Lord Manners never liked, found favor in his sight, in consideration of their rapturous concurrence in his worldly misconceptions. He was at all times willing to meet a senior or junior saint anywhere but at the Bethesda, and to hear anything from their lips except an extemporary exhortation. It was quite impossible that a person so single-hearted and unsuspecting should fail to be the frequent dupe of those intelligent devotees. It is recorded of that ingenious personage, immortalized as Mr. Dexter in the novel of "O'Donnell," that he was in the habit, for his own shrewd purposes, of keeping close to the Irish Chancellor (who is a keen sportsman, though an indifferent shot), upon his shooting excursions through Lord Abercorn's grounds. Every bird that rose was missed by the peer, and contemporaneously brought down by his unerring companion, who, with pretended mortification, and an effrontery of adulation known only to Irish parasites, would bluster about the unfairness of being anticipated in every shot; and, after a day thus turned to good account, would bring back the illustrious sportsman loaded with imaginary spoils, and exulting in his undiminished accuracy of aim. It was not only in the fields of Barons Court that his Lordship has been attended by men as dexterous as Mr. Dexter. He was too obvious an instrument not to be surrounded by practised political marksmen, who were ever ready, for their own substantial objects, to give him all the use and glory of their skill. Having no taste for general reading or solitary meditation, he has dedicated his extra-judicial hours to social ease, and naturally fell into a companionship with those who were least disposed to shake his faith in his prejudices. It was not in the Huguenot recollections of Mr. Saurin, nor in the colloquial revelations of Mr. Sergeant Lefroy, that a public functionary in Ireland could be expected to be weaned of his political antipathies. The extent of those antipathies, and their undeviating influence upon his Lordship's public acts, may be collected from a single fact. Among the

legal appointments in the gift of the Irish Chancellor, there are about thirty commissionerships of bankrupts; and, during the twenty years that Lord Manners has held the seals, not one Catholic barrister has been named to a place.

An important branch of the Irish Chancellor's patronage, and one that he has exercised with more profusion than any of his predecessors, is the nomination of King's Counsel. The subject demands a short notice of the nature and incidents of this appointment. The legal fiction is (as the term imports), that a certain number of barristers are selected to conduct the necessary business of the Crown. In point of fact they are utterly unnecessary, and, as such, unemployed for that purpose. The business of the Crown can be, and is, fully discharged by the Attorney and Solicitor General and the three Sergeants upon important occasions; and, in ordinary matters, by the several Crown-prosecutors, who are chosen indiscriminately from the bar. The Attorney-General is bound to provide for the proper conduct of Crown-prosecutions, and, as he can not be present in his own person, he substitutes in his place certain individuals, for whose efficiency he is responsible; of these a considerable portion, upon some of the circuits one half, are at this moment stuff-gowns. But however rarely the King may in point of fact have occasion for the services of his nominal counsel, they are by a similar fiction of law presumed to be at all times occupied with the business of the Crown, and therefore entitled to precedence in the Courts. This, to a barrister of ordinary efficiency, is an important personal advantage. It enables him to bring on his motions to a speedy decision, and thus establishes, for those who enjoy the privilege, a profitable monopoly of an extensive branch of general business. The only exception is in the Rolls Court; where, by a regulation of the present Master of the Rolls, the several motions for the day are entered in a list according to the date of the notice, and called on in regular rotation. There is, consequently, no precedency among the counsel; and the result (which can be scarcely accidental) is, that in that Court the great mass of the very important business transacted there is distributed among the members of the outer bar. In all the other Courts

a large portion of the general business is withdrawn from the outer bar, and distributed among the privileged few. In common fairness, therefore, to the profession at large, and also to the suitor, who ought to be left as uncontrolled as possible in the selection of his counsel, personal privileges of this kind, which thus work a detriment to others, should be very sparingly conferred. In former times, a silk-gown was given as an honorary distinction to an already eminent barrister, and not as a recommendation to business. Thirty years ago there were only sixteen King's Counsel, and since then the general business of the bar has materially decreased. There are now forty-three — all, with a few exceptions, of Lord Manners's creation. The number has, in fact, become so excessive, that it has been found necessary to alter the old arrangement of the Courts, in order to supply them all with seats. At the English bar, where public opinion has some influence, there were, at the commencement of the present year [1827], only twenty-eight King's Counsel.

When Mr. Doherty was lately nominated to the vacant Solicitor-Generalship for Ireland, Lord Manners interposed, and for some weeks refused to swear him in. The measure was as unprecedented as the reason assigned; namely, that the gentleman in question, who is of twenty years' standing, was too youthful a barrister to be lifted over the heads of certain meritorious seniors. The principle sounded fairly enough in the ears of the one or two who hoped to profit by it, but it had not the slightest foundation in established usage. There has been no such thing at the Irish bar as even a vague expectation that promotion was to be regulated by length of standing, and least of all, promotion to the office in question, which may be said to partake more of a political than a legal character. It is only necessary to refer to the appointments since the Union; they are as follows:—

Sir John Stewart, eighteen years at the bar.

Mr. O'Grady (now Chief Baron of the Exchequer), fifteen years at the bar.

Mr. M'Cleland (now Baron of the Exchequer), thirteen years at the bar.

Mr. Plunket (now Chief-Justice of the Common Pleas), seventeen years at the bar.

Mr. Bushe (now Chief-Justice of the King's Bench), thirteen years at the bar.

The list closes with the present Attorney-General, Mr. Joy [1827]. He had certainly obtained the maturity of standing, which has at length been discovered to be so indispensable a qualification; but who, that ever gave a thought to the reasons for *his* appointment, does not know that he was made Solicitor-General in 1822, not because he happened to be a Sergeant, not because he was well stricken in legal years, but because there was in his person a coincidence of professional and political requisites which accorded with the project of a balanced Administration. So far as the question of seniority is concerned, he formed an exception to the general practice.

Overlooking, however, the objection that Mr. Doherty is not old enough in his profession to be a "promising young man" —a grave legal maxim, for which Lord Manners has the high authority of Mr. Sergeant Flower—I would say that the political circumstances of Ireland afford some very serious reasons for the selection of this gentleman, and the rejection of the class of competitors that Lord Manners would have preferred. The late purification of the British Cabinet* has opened new

* George Canning was appointed Governor-General of India in 1822, had prepared for his departure, and publicly taken leave of his constituents at Liverpool, when the Marquis of Londonderry (Castlereagh) committed suicide. The foreign secretaryship thus became vacant. George IV. (who had not forgiven him for going to the Continent, and offering to resign his office of President of the Board of Control, rather than assist in the prosecution and persecution of Queen Caroline, whom he had spoken of in Parliament as "the grace, life, and ornament of society") hesitated to appoint Canning. He did so, however, and Canning thereby became the *virtual* head of the Administration, the *nominal* head being Lord Liverpool, who was obliged to take large and daily doses of ether to strengthen his nerves, and who confessed that, for years, he had never received his letters in the morning without dreading to open them, for fear that they should give him notice of an insurrection in some part of the country. Croly (a Tory) says of him that his system was to glide on from year to year, and think that his business was amply done, if the twelve months passed without a rebellion, a war, or a national bankruptcy; to shrink from every improvement in his terror of change; and to tolerate every old abuse, through dread of giving the nation a habit of inquiry. Yet this man had ruled

prospects to the Catholics of Ireland, and (what a wise and considerate government should never overlook) has inspired their leaders with a sanguine and determined forbearance sel-

England, with a mind thus enfeebled, for fifteen years! From 1822 until February, 1827, when Lord Liverpool was attacked by paralysis, Canning may be said to have ruled the country. Some weeks elapsed before Lord Liverpool's place was filled up — in the interval (early in March), Canning made a powerful speech in Parliament, in support of Catholic Emancipation, which was lost by a majority of four only. At last, on April 12, 1827, it was announced that Canning had been appointed Prime Minister. Suddenly and simultaneously, Wellington, Peel, Eldon, and three others of Canning's colleagues in the Cabinet, resigned. He formed a ministry consisting of liberals — but the Tories formed a compact opposition, aided by "the old whigs," headed by Earl Grey. This latter party, not very numerous then, consisted of those who thought that certain noble families, on either side, had a sort of hereditary right to govern the country. Perhaps, also, Lord Grey recollected that, in a keen satire on "All the Talents," written by Canning, twenty years before, Temple's wit and Sidmouth's firmness, had been slily contrasted with

———"the temper of Grey,
And Treasurer Sheridan's promise to pay."

At all events, Lord Grey strongly and haughtily opposed Canning's ministry. The Irish Catholics, who saw in the new Premier one of their most eloquent advocates, and who speedily felt the advantages accruing from the charges he made *personnalité* of the Irish Government, naturally entertained the highest hopes from the promotion of their friend. He had to contend, in ill health, with a very strong and ruthless opposition in Parliament which "hounded him on to death" (to use the words of Lord George Bentinck's accusation of Peel, at a later day), and a Premier who would have carried out the most liberal measures, had he lived, died in the Duke of Devonshire's house, at Chiswick, near London, on August 8, 1827, aged 57, in the very same room where, twenty-one years' earlier, Charles James Fox had breathed his last — much about the same age; each being liberal in politics, each crowning the labors of a life of active ambition, by finally obtaining the highest office — to hold it for a few months and "die in harness." Canning was succeeded, as Premier, by Lord Goderich, who had not talent or influence to govern. In January, 1828, the reins of empire passed from his weak hands to those of Wellington — the avowed opponent of the Catholic claims. Then, in despair and defiance, came the Clare Election, which led, in the Duke's opinion, to one of two things — a civil war or Catholic Emancipation. The soldier, sagacious by reason of his long experience in war, preferred to yield — on the plea of necessity. This he did in 1829. Next year, he was too proud to grant Parliamentary Reform, on the same grounds, and was defeated. The Whigs came into power, headed by Lord Grey, and after the severest Parliamentary struggle ever known — stretching through two Parliaments and two years' excitement — was passed that reform

dom manifested by the directors of a popular body. The skill and prudence with which Mr. O'Connell and his colleagues, at the risk of their popularity, have prevailed upon their ardent countrymen to accommodate their temper to the exigencies of the occasion, justly merited every practical acknowledgment that could be tendered by the new Administration. Next to the final consummation of their hopes, the Irish Catholics annex the utmost importance to the official appointments of persons in whom they can confide; and most of all in the case of the legal advisers of the Crown, upon whose individual characters and political tenets they know by experience that the decision of many questions affecting their interests depends.

But, however sensitive upon this point, they evinced no disposition, at the recent crisis, to embarrass the Government, by exacting more than could be conveniently accorded. Though well aware of Mr. Joy's hostility to their cause, they allowed his personal claims to outweigh their wishes, and acquiesced, as a matter of state necessity, in his elevation to the vacant Attorney-Generalship; but farther than this they could not be expected to go. They saw that the Government was free to choose his colleague, and very reasonably considered that their feelings and interests should be consulted in the selection. Had this expectation been baffled—had a political favorite of Lord Manners been raised to a condition of suggesting subtle reasons for disturbing the public tranquillity by the prosecution of the Catholic leaders, the most disastrous results would have ensued; all confidence in the professions of the new Minister would have been at an end. The Catholic Association would have instantly exploded, and have been quickly involved in angry collisions with the Government, fatal alike to their own interests and to the stability of the Administration from which they have so much to hope. These lamentable consequences have, however, been prevented. The spirit of a better and juster policy prevailed. Mr. Doherty was preferred; and the measure was no sooner announced, than its propriety was sanc-

in the parliamentary representation of the people, which now [1854] is to be extended, on the ground of the incompleteness of the previous measure of 1832.—M.

tioned by the public and unequivocal satisfaction of that body which it was of such vital moment to conciliate.*

The mere legal duties of the office to which Mr. Doherty has been called might be easily discharged by a person of professional qualifications much inferior to his; but it embraces other duties, demanding requisites of another and less common kind. It is now notorious that the Catholic question (however opinions may vary upon its relative importance) is the one upon which the fate of administrations depends, and most peculiarly the fate of the present administration. The Catholics of Ireland, though not yet arrived at the maturity of strength and influence in the empire which, when attained, must insure an adjustment of their claims, have it at all times in their power to resort to proceedings incompatible with the continuance of their friends in office. Hence the relation of that body with the Government of the country, at the present juncture, is one

* John Doherty, who was Chief-Justice of the Common Pleas in Ireland, for twenty years, was called to the bar in 1808, made King's Counsel in 1823 Solicitor-General in 1827, and was Chief-Justice from 1830 until September, 1850, when he died. Doherty, related on the maternal side to Colonel Verner, M. P. for Armagh, and by his father's family to Canning, came into Parliament in 1826, as Member for Kilkenny. When Canning became Premier, he raised Doherty to the position of Irish Solicitor. His knowledge of the *science* of law was by no means extensive, but his sagacity was great, his industry exemplary, and his sense of Justice pre-eminently powerful. It is said that of all the opponents who measured weapons with O'Connell in Parliament, the most successful, and certainly one of the most undaunted, was Mr. Doherty. Their chief encounter took place in May, 1830, shortly before Doherty was made a Judge, and O'Connell fiercely attacked him for his conduct as Crown lawyer, in what was called The Doneraile Conspiracy. He was met and answered, at all points, by Doherty, who (in the opinion of the Anti-O'Connellites, at least), silenced, if he did not convince, his assailant. Peel had such a favorable recollection of this word-duel that, in 1834, when he formed his first ministry, he solicited Doherty to resign his judicial office, and to return to the House of Commons, as one of the Cabinet. This was declined, whereupon Peel repeated his entreaty, offering to raise him to the House of Lords. Chief-Justice Doherty again declined, and Peel struggled on without his aid during the four months of his bold experiment of governing against the popular will. In 1846, before finally quitting office, it is said that Peel again offered a peerage to Doherty, who was compelled to decline it, from want of means to provide for the support of the dignity, having entered largely into railway speculations, during the preceding joint-sto k-bubble year, and thereby lost the bulk of his fortune.—M.

of unexampled delicacy; and as such requires the nicest management in sustaining them under the fatigues of protracted hope, and in preventing them from confounding inevitable delays with an abandonment of their cause by their professed supporters. It would be too much to expect that indications of this latter feeling will not occasionally break out, and in forms that may render it doubtful whether the due limits of popular discussion have been observed. Upon such questions, when they arise, the law-officers of the Crown will have to advise; and, to advise with discretion, they must have something more than a knowledge of the law. There must be good temper, good sense, good will toward the parties concerned, and a strong public interest in preserving the state from the embarrassments that would follow a hasty prosecution. These important moral qualifications (if he be true to the tenor of his past life) will be found in Mr. Doherty's official character; and along with them a great practical skill in winning over the tempers of others to a given object, which eminently fits him for the task of mediating between the occasional effervescence of his Catholic countrymen and the literal rigor of the law. He will also — but I have pursued the subject far enough, and in dwelling so long upon it I feel it to be only an act of common justice to an estimable individual to record the opinion of the Irish public upon the cruel but unavailing attempt that has been made to mar his prospects, and to bring discredit upon the Government that thought him worthy of their trust.

The voice of the country in which Mr. Doherty is best known has sustained him through this important crisis of his life. The zeal with which his case was taken up by the Irish community, though a merited, was a most essential service, and claims at his hands every possible public return that he can make. He may personally forgive the Irish Chancellor for the wrong inflicted on him; but for the sake of others, if not for his own, he must bear it keenly in his memory, and, stimulated by the recollection, make his future conduct a practical refutation of the pretexts for crushing him, and thereby afford an unanswerable justification of the Government that placed him where he is, and of the public that so warmly approved of the choice.

What is expected from him as an officer of the Crown I have already intimated; but he will have other and more comprehensive opportunities of retorting upon Lord Manners his public services. He will shortly resume his seat in the House of Commons, under circumstances that will secure for him an effective co-operation in every salutary measure that he proposes; and he must not allow the indolence of success, or a groundless diffidence, to restrain him from turning his facilities to a useful account. Hitherto he has prudently abstained from trusting his reputation to the precarious effect of sample-speeches; and his continued abstinence will be justly applauded, if he aspires to the better fame of making the statute-book speak for him.

I have heard that he has for some time past been meditating a simplification of the Irish bankrupt-law. This is a favorable omen; but his ambition, to be of service, must not be limited to matters of subordinate moment. It would be neither easy nor in place to enumerate here the various legislative wants of Ireland; but I can not avoid suggesting that there is one subject of the highest national interest as yet unappropriated by any Irish member, and holding out an asssurance of the lasting importance that follows public services to any competent individual who shall make it his peculiar care: I allude to the civilization of the Irish criminal code. Such a project would be immediately within the scope of Mr. Doherty's studies and experience; much of the first and most deterring labor of the task would be saved by the adoption of Mr. Peel's general plan,* while enough would remain in the modifications required by the particular state of Irish society, to give the undertaking a higher character than that of a servile imitation.

* The late Sir Robert Peel was an eminently practical man of business. In 1817, when he was Irish Secretary, he introduced the excellent police system now in operation in Ireland — from him the policemen are called Peelers. Thirteen years later, he modified that system and adapted it to London, where it continues to be very efficient. In 1826, he commenced his admirable attempts to soften the rigor of our criminal code, and succeeded in mitigating the severity of laws, which, in consequence of their harshness, had become nearly inoperative. Nor, when he quitted office, in 1827 (on Canning's becoming Premier), did he relinquish this course of humanity and reason.— M.

THE DUBLIN TABINET BALL.

A LARGE district of Dublin, commonly called "The Liberty," is occupied by the manufacturers of tabinet. This part of the city exhibits at all times a disagreeable aspect. It is a labyrinth of narrow lanes, composed of old and crazy houses, and is choked with nastiness of every kind. Even when its enormous population is in active employment, the senses are shocked with much odious circumstance; but when labor is suspended, as is often the case, and the inhabitants are thrown out of employment, a spectacle of wretchedness is presented in this quarter of the Irish metropolis, of which it would require the genius of Mr. Crabbe for the delineation of misery to convey any adequate picture.

In the last month the manufacturing class have been without occupation or food. I passed, not very many days ago, through the district in which they chiefly reside, and do not recollect to have ever witnessed a more distressing scene. The streets may be said to have swarmed with want. With starvation and despair in their countenances, and with their arms hanging in listlessness at their sides, hundreds of emaciated men stood in groups at every corner. They gaped on every person of the better class who chanced to pass them, with the vacant earnestness of famine; and when the equipage of some pampered and vain-glorious citizen rolled by, it was painful to observe in the expression of their faces the dumb comparison with their own condition, which was passing through their minds.

The doors of the houses lay wide open, and, lighted up as they were with the new and brilliant sunshine of May, afforded

an insight into the recesses of internal wretchedness. Their wives and children were seen huddled up together, with scarcely a shred of raiment upon their discolored and emaciated limbs. Their beds and blankets had been transferred to the pawnbrokers; and of their furniture, nothing but the mere fixtures remained. The ashes round the hearth seemed to be of a week's standing; and it was easy to perceive that the few potato-skins, scattered about the floor, were the relics of a repast of no very recent date. Silence in general prevailed through these receptacles of calamity, except that now and then I heard the wailing of a child, who called with a feeble cry for bread. Most of these houses of affliction were deserted by the men, who stood in frightful gatherings in the public way. But here and there I observed the wan but athletic father of a family, sitting in the interior of his hovel, with his hands locked upon his knee, surrounded by his children, of whose presence he appeared to be scarcely conscious, and with his wild and matted hair, his fixed and maddening eye, his hard and stony lip, exhibiting a personification of despair; and, if I may so say, looking like the Ugolino of "The Liberty."

Whatever may be the faults of the Irish character, insensibility to distress is not among them. Much substantial and practical commiseration was exhibited among the higher orders for the sufferings of the unfortunate manufacturers, and various expedients were adopted for their relief. It was, among other devices of benevolence, suggested to the Marchioness of Wellesley, that a public ball at the Rotunda would be of use, and accordingly a "Tabinet Ball," under the auspices of that fair and newly-ennobled lady, was announced. The notice was given in order to afford the young ladies in the country an opportunity of coming to town, and the 11th of May [1826] was fixed for the metropolitan *fête*. Peremptory orders were issued at the Castle, that no person should appear in any other than Irish manufacture. A great sensation was produced by what in such a provincial town as Dublin may be considered as an event. Crowds of families flocked from all parts of the country; and if any prudential grazier remon-

strated against the expense of a journey to the metropolis, the eyes of the young ladies having duly filled with tears, and mamma having protested that Mr. O'Flaherty might as well send the girls to a convent, and doom them to old-maidenhood for life, the old carriage was ordered to the hall-door, and came creaking into town, laden with the rural belles, who were to make a conquest at the "Tabinet Ball." The arrival of the important day was looked for with impatience, and many a young heart was kept beating under its virgin zone at the pleasurable anticipation. In the interval much good was accomplished, and Terpsichore set the loom at work. Every milliner's shop gave notes of profuse and prodigal preparation.

At last the 11th of May arrived, and at about ten o'clock the city shook with the roll of carriages hurrying from all quarters to the Rotunda. Not very long ago, Doctor Brinkley, the astronomer,* took the noise of a newly-established manufactory for the indication of an approaching earthquake; and if he had not been removed since then from the contemplation of the stars, he would, in all likelihood, have taken the concussion of the Tabinet Ball night, for the earthquake itself. The love of dancing is not among my addictions, and it is the tendency of most persons of my profession to set up as a kind of spurious Childe-Harolds upon occasions of this kind; but as the object of the ball was national, and I was solicitous to take a close survey of Lord Wellesley and his Transatlantic bride, I resolved to join the festive gathering, which charity and its amiable patroness had assembled.

The Rotunda, where the ball was given, is a very beautiful building, erected, I believe, by Sir William Chambers,† and

* Dr. John Brinkley was an Englishman, born in 1760. He was educated at Oxford, and was appointed, on the repute he had gained for his scientific acquirements, to the Professorship of Astronomy in the University of Dublin. He remained in this office until he was made Bishop of Cloyne. He died in 1835. He was the discoverer, in 1814, of the parallax of the fixed stars.—M.

† Sir William Chambers, architect, was a native of Scotland, and erected Somerset House, in London, a palatial edifice of much beauty, appropriated to offices for several of the Government departments. He wrote a valuable work on "Civil Architecture," and died in 1796. He was knighted by the King of

is one of those models of pure architecture with which Dublin abounds. Upon entering it, how different was the scene from that with which it was associated, and how strong a contrast was presented between the gorgeous and glittering spectacle before me, and that which I have endeavored to describe. My mind still retained some of those mournful reflections which the contemplation of misery had produced; and when I found myself surrounded with a blaze of intense and brilliant illumination, and encompassed by a crowd glittering with splendor, youth, and beauty, and moving in measure to exhilarating music, the naked and half-famished wretches, whom I had seen so recently, rose like phantoms in my memory, and my imagination went back to the abode of starvation, and to "the house of wo." I did not, however, permit these melancholy reflections to lay any permanent hold upon me; and indeed the recollection that pleasure was made in this instance to minister to the relief of sorrow, should have reconciled a person of a much more ascetic quality of mind than I am, to a participation of the enjoyments of so brilliant a scene.

I question whether in London itself, however it may surpass our metropolis in wealth and grandeur, more splendor in alliance with good taste could readily be displayed. There was an immense assemblage of young and beautiful women, dressed in an attire which, instead of impairing, tended to set off the loveliness of their aspects, and the symmetry of their fine forms—that sweetness and innocency of expression which characterizes an Irish lady, sat upon their faces; modesty,

Sweden.—Under the present regulations, no British subject can receive or assume any title conferred by a foreigner, nor wear the insignia of any foreign Order, without special permission from his own sovereign. Foreign titles have been conferred upon several British subjects. John Duke of Marlborough was made a Prince of the Holy Roman Empire by the Emperor of Germany; Nelson was created Duke of Bronte, in Sicily, with the grant of an estate, by the King of Naples; Wellington, was made Duke of Ciudad Rodrigo, with an estate, by the Junta of Spain, and Duke of Victoria by the Regent of Portugal, as well as Prince of Waterloo, by the King of the Netherlands; and Sir Charles Napier, for his naval services in restoring Queen Donna Maria to the throne of Portugal, was made Count Cape St. Vincent, by Don Pedro, having previously received a title from the King of the Two Sicilies, for his gallant capture of the Isle of Ponza.—M.

kindness, and vivacity, played in their features; and grace and joyousness swayed the movement of limbs which Chantrey would not disdain to select for a model.* While I was looking upon this fine spectacle with some feeling of national pride, it was announced that Lord Wellesley and the Marchioness were about to enter the room. There was a sudden cessation in the dancing, and the light airs to which the crowd had been moving were exchanged for the Royal Anthem. I had never observed the Marquis so nearly as to form a very accurate notion of him, and his beautiful American I had never seen. I felt a strong curiosity about her. A Yankee, and a Papist, turned into a Vice-Queen!! There was something strange in this caprice of fortune, and I was anxious to see the person with whom the blind goddess had played so fantastic a freak.†

* Francis Chantrey, one of the most celebrated of modern English sculptors, and certainly without a superior as a bust-maker, was born in 1781, and died in 1841, aged sixty. From childhood he had a taste for drawing and modelling, and after serving his time to a carver and gilder at Sheffield, there commenced painting portraits, which he soon gave up for making busts. One of these, in the exhibition of the Royal Academy in London, brought him into notice. He removed to London and speedily obtained numerous orders. His busts were portraits in marble, full of character and individuality. In 1817, he executed the monumental group of "The Sleeping Children" now in Lichfield Cathedral, over whose simple beauty and touching repose many tears have been shed. This poetic group was made, it is said, from a drawing by Stothard. Chantrey, who was elected a Royal Academician, and knighted, executed the busts of nearly all the leading personages of his time, and several colossal statues, in bronze, as public monuments. Of these, perhaps the most familiar, which was also the last (and not erected until after he had died), was the Wellington equestrian statue in front of the Royal Exchange, London.—M.

† The present Marchioness Wellesley, was Marianne, daughter of Richard Caton, Esq., of Maryland, and widow of Robert Patterson. The marriage took place in February, 1825, when Lord Wellesley was in his sixty-fifth, and the bride in her thirty-first year. Her sister, Louisa Catherine Caton was married in 1817, to Sir Felton Bathurst Harvey, became a widow in 1819, and was married in 1828, to the present Duke of Leeds, then Marquis of Carmarthen. The Marquis Wellesley's first wife, to whom he was married in 1794, was Hyacinthe Gabriel, daughter of Mons. Roland. She died in 1816. She had lived with the Marquis *before* marriage, and had two daughters then, but no legitimate issue. One of these daughters, married in 1812 to Mr. Littleton (now Lord Hatherton), was small in person, admirable in shape, charming in

The Marchioness's name is Caton: she is the widow of Mr. Patterson, and is thus allied, in some degree, with the Bonaparte family. She came to Ireland, accompanied by her sister, with no other object than to see the country. Having been introduced to the most fashionable circles, she did not at first disclose her religion, which might have been an obstacle to the cordiality of her reception. Her addiction to Popery was little suspected, as may be judged from her having been selected by Mr. Saurin as his political confidante. It was at a party at his house (so, at least, it is rumored in Dublin) that she first revealed her leanings toward the Pope. The learned gentleman, whose spleen to the religion of the country, considering his Huguenot descent and his fall from office, ought to be forgiven, had indulged in violent tirades against Lord Wellesley; upon which the amiable widow did not hint a comment; and he came to an attack upon Popery, although some symptoms of uneasiness were displayed, yet for a long time no remonstrance was made. Mr. Saurin was not interrupted in his fleers at transubstantiation; he was permitted to indulge in some pleasantries at the expense of auricular confession: certain interesting anecdotes touching the Borgia family were allowed to pass; but when he came to Prince Hohenloe, and opened a battery upon Bamberg, the widow could hold no longer; and, turning upon Mr. Ex-Attorney-General, proclaimed herself a Papist. The dismay produced by this intimation may be more readily conjectured than described. Whether a slight flush came over the calm and corrugated countenance of the host has not been stated in the common report of this agreeable incident; but it is said that the fair American volunteered her interposition with Prince Hohenloe, on behalf of her friend, in order to procure his restoration to office, having observed, by way of parenthesis, that nothing less than a miracle could accomplish so apparently improbable an event.

manner, intellectual in conversation, and so beautiful in face that the Emperor Alexander, of Russia, who saw her (on his visit to England, in 1814, with the rest of the Allied Sovereigns), declared that she was the loveliest human being eyes had ever looked at and been dazzled by. Lady Hatherton died in January, 1849. — M.

Not very long after this convivial incident, Mrs. Patterson was introduced at court, and Lord Wellesley was almost instantaneously struck with admiration of charms, of which one hundred and fifty thousand pounds were said to constitute a part.* Her wealth was, however, greatly exaggerated by vulgar report; and the Marquis is, I believe, the very last man who would be disposed to take it into a matrimonial calculation. Though Hymen is sometimes addicted to the study of arithmetic, yet Lord Wellesley would never set him this inglorious task. He offered Mrs. Patterson his hand, and was accepted. In such a town as Dublin, so provincial in everything, and more especially in religion, the marriage of a lord-lieutenant to a Roman Catholic lady excited no ordinary sensation. The Catholics conceived that their creed would receive a sanction from a pair of beautiful eyes at the Castle; the priests expected that she would drive in state to chapel; and Messrs. O'Connell and Sheil did not despair that her love of legitimate rhetoric might induce her to go in disguise to the gallery of the Catholic House of Commons. The hopes of the Popish party were not a little confirmed by the nomination of her private chaplain, in the person of the good-humored and cheerful-spirited Mr. Glynn. The Orange faction, and especially the saints, looked on the approaching event with a sentiment of corresponding alarm. It was idle, they said, to expect, on the part of Lord Wellesley, any very rigid adherence to the principles of the Protestant religion. How powerful must be the influence of a young and a beautiful wife upon a man of careless or vacillating opinions.

These apprehensions were not a little augmented by the announcement that the Catholic archbishop was to celebrate

* There are many reasons for believing that the "lady" though rich in personal charms, and moderately independent in circumstances, was by no means so wealthy as was reported. Her present pecuniary resources are understood to be inconsiderable. I am in doubt whether she does not receive a pension from the British Government or the East India Company (both of whom Marquis Wellesley had served faithfully and with distinction), but I know that Queen Victoria has granted her a residence in Hampton Court Palace, a "refuge for the destitute" among the aristocracy, in which many pauperized people of rank are rent-free.—M.

the marriage. Lord Wellesley was anxious to indulge his bride in this selection; but Dr. Magee and his partisans prevailed. It was settled that the Doctor should have precedence; and that, after he had "incorporated two in one," the rival hierarch should be introduced by a postern gate, and allay the Marchioness's religious scruples by a sacramental confirmation of the nugatory formalities, which should have been previously gone through by the Protestant divine. By this arrangement, politics and theology were felicitously reconciled. Dr. Magee went through the ceremony with his usual briskness and alacrity; and so sweet and winning was the smile with which the lady responded to the matrimonial precept—to love, honor, and obey—that the doctor is said to have protested that Gospel truth shone through her eyes. Such is the fascination of beauty, even upon a mind so highly spiritualized as the doctor's, that, since this heterodox marriage, a considerable and even suspicious mitigation of his opinions has been observed. The influence of the Marchioness is matter of universal comment; and, upon a recent occasion, it was remarked that the Right Reverend Father in God had acted as *cicisbeo* to this "dangerous Papist," and had accompanied her to the principal mart for the sale of baby-linen in Dublin.

These circumstances had surrounded the Marchioness with much interest, and will account for the curiosity which I felt to see her. I stood in no little suspense, when it was announced that the noble pair were making their triumphant entry into the Rotunda. Followed by a gorgeous retinue of richly-decorated attendants, the Viceroy and his consort advanced toward the immense assembly, who received them with acclamation. She was leaning upon his arm. He seemed justly proud of so fair a burden. The consciousness of so noble a possession had the effect upon him which the inspirations of Genius were said to have produced upon a celebrated actor, and he looked "six feet high," compact and well knit together, with great alertness in his movements, and with no further stoop than sixty winters have left upon him, with a searching and finely-irradiated eye, and with cheeks which,

however furrowed, carry but few traces of the tropics. The victor of Tippoo Saib, and the conqueror of Captain Rock, entered the Rotunda.* I am not quite sure that there was not a slight touch of melo-dramatic importance in his air and man-

* In 1821, when George IV. visited Ireland—the first sovereign who had ever landed on her shore, in friendly mood—all parties united in giving him an enthusiastic reception. This unanimity of "loyalty" (as the lip-service is called, across the Atlantic), was in strong contrast with the hooting and hisses with which, at that time, the "illustrious" Sybarite was greeted in London, on account of his ill-conduct toward his wife. He was as grateful for this kindness (as unmerited as it was unexpected), and assented to the politic proposition of his Ministers that Ireland should be treated more kindly than of yore. When he left Dublin, he earnestly recommended the Irish (in a farewell epistle communicated through Lord Sidmouth, the Home Secretary), no longer to allow their religious distinctions to be the cause of public animosity, or personal bitterness.—Soon after, the Tory Viceroy, Earl Talbot, was recalled, and Marquis Wellesley, a distinguished Irishman, elder brother of the Duke of Wellington, and a proved advocate of the Catholic claims, was sent to Dublin as his successor, in December, 1821. The Catholics rejoiced at his appointment as much as the political-Protestants grieved. He endeavored to govern with impartiality, but could not please all parties. In 1828, when the Duke of Wellington became Premier, and was avowedly hostile to Catholic Emancipation, Lord Wellesley resigned his post, but resumed it, in 1833, under the liberal Government of Earl Grey. He finally quitted Ireland, at the end of 1834, on the formation of Sir Robert Peel's first administration. The chief fault of Lord Wellesley, as Viceroy, was an overweening opinion of his own importance. What the Bourbon said (*L'état c'est moi*) was Lord Wellesley's entire conviction. He was born in 1760; educated at Eton; succeeded his father, as Earl of Mornington, in 1781; sat in the Irish House of Lords, and in the English House of Commons (first as member for Beeralston and then for New Windsor); was made one of the Lords of the Treasury, and Privy Councillor in 1793, and created an English peer in 1797, when he succeeded Earl Cornwallis in the Government of India; triumphed over Tippoo Saib and conquered the kingdom of Mysore, with the aid of his brother Colonel Wellesley (afterward The Duke); was rewarded by an Irish Marquisate in 1799; was recalled, at his own request, in 1805; was sent as Ambassador to the Supreme Junta of Spain in 1809; became Foreign Secretary on the formation of the Perceval Ministry in the same year; retired early in 1812, chiefly because he differed from his colleagues on the Catholic question; and continued in opposition until his appointment to Ireland in 1821. In 1835, he was Lord Chamberlain, under the Melbourne Ministry, for a short time. He died in September, 1842, in his eighty-third year. His mother, who died in 1831, lived to see four of her sons attain seats in the House of Lords, solely by their merits, and as rewards of public services.—M

ner; and, with a good deal of genuine dignity, it occurred to me that there was something artificial and theatrical in his entrance upon a stage, in which ephemeral majesty was to be performed. It was said by Voltaire of a real monarch, that no man could so well perform the part of a king. "Le Rôle de Roi," is a phrase which, amounting to a truism, loses its force, perhaps, when applied to a lord-lieutenant.

Lord Wellesley seemed to me to personate his sovereign with too elaborate a fidelity to the part, and to forget that he was not in permanent possession of the character upon a stage which was under the direction of such capricious managers, and that he must speedily relinquish it to some other actor upon our provincial boards. He is, unquestionably, a man of very great abilities; a speaker of the first order; a statesman with wide and philosophic views, who does not bound his pros pects by any artificial horizon. He has great fame as a politician, and has the merit of having co-operated with Mr. O'Connell in the pacification of Ireland.

With these intrinsic and substantial claims to renown, it is strange that he should rely so much upon the gewgaw of a spurious court for his importance, and be in love with the raree-show of vice-regal honors. A throne surmounted with a gorgeous canopy of gold and scarlet was placed at the extremity of the room for his reception; and to this seat of mock regality he advanced with his vice-queen, with a measured and stately step. When he had reached this place of dignity, his suite formed themselves into a hollow square, and excluded from any too familiar approach the crowd of spectators that thronged around. A sort of boundary was formed by the lines of aid-de-camps, train-bearers, and pursuivants of all kinds. I presumptuously advanced to the verge of this sacred limit, when I was checked by an urchin page of about ten years of age, who, dressed in flaming scarlet, and with his epaulets dropping in woven gold to his heels, seemed to mock the consequence of his noble master, and with an imperious squall he enjoined me to keep back. I obeyed this Lilliputian despot, and retired one or two paces, but stood at such a distance as to enable me to survey the hero and heroine of the scene.

The Marquis was dressed in a rich uniform, with a profusion of orders. He wore white pantaloons, with short boots lined with gold, and with tassels of the same material. The Marchioness was dressed in white tabinet, crossed with a garland of flowers. She struck me at once not only as a very fine, but dignified woman. Nobody would have suspected that she had not originally belonged to that proud aristocracy to which she has been recently annexed. She has nothing of *la bourgeoise parvenue.* I was surprised at the gracefulness with which she executed her first courtesy, and the ease with which, in recovering from it, she brought herself back to the altitude of stateliness which I presume had been prescribed to her for the night. Her figure appeared to me to be peculiarly well proportioned. Her arms and shoulders, though less suited to Hebe than to Pomona, are finely moulded; and of her waist I may justly say that it is—

"Fine by degrees, and beautifully less."

Her features approach to the classical model: they have nothing of that obtuseness which in Ireland is frequently observable in countenances animated by the vivacity of youth, but which lose their charm when the vividness of the eye becomes impaired, and the bloom of the cheek has begun to pass away. The profile of Lady Wellesley is at once marked and delicate. Her complexion has not that purity and milkiness of color which belong to Irish beauty, but it is not, perhaps, the less agreeable from having been touched by a warmer sun. Her brows are softly and straightly pencilled; her cheeks are well chiselled, and an expression of permanent mildness sits upon her lips, which I do not regard as artificial and made up. Yet I think it too unvarying and fixed. Her smile is so sedate and settled, that, although I had several occasions to observe her, her countenance seemed for hours not to have undergone the least change of expression. Some allowance ought to be made for this immovable serenity, which it may be proper upon a state occasion to assume; but I am inclined to think that this monotonous suavity is not the mere smile of elaborate affability, but upon a face less beautiful would amount to an

eternal simper. If I were called upon to point out, among the portraitures of fictitious life, an illustration of the Marchioness of Wellesley, I do not think that with reference to her air, her manners, the polish and urbanity of her address, and the placidity of her expression, I could select any more appropriate than the English heroine of Don Juan—

"The Lady Adeline Amundeville."

The Marquis and the copartner of his honors, and sole tenant of his heart, having made their obeisance to the company, seated themselves upon the throne; and I can not help saying that, when I saw them surrounded with all the superfluous circumstance of sovereignty, and going through the mock-regal farce, as if the whole business were not an idle and most unsubstantial pageant, I felt pain at this voluntary exposure to the ridicule of their political opponents, who seemed to gather round for no other purpose than to pay their derisive and sardonic homage. Upon what pretence these airs of royalty were assumed I could not even guess. The gentry of Dublin were assembled, at the instance of Lady Wellesley, to contribute to the promotion of Irish manufacture. This was assuredly no fit occasion for the "unreal mockery" of evanescent pomp. I question whether, under such circumstances, it would be proper in a genuine king to indulge in regal parade. But it appears to me to be out of all keeping, and to amount to no venial sin against good taste on the part of the mere shadowy representative of a sovereign, to invest himself in monarchical state, and all "the attributes to awe and majesty."

The deportment of his Excellency tended to enhance the burlesque of the whole business. He affected all the *nonchalance* of a person accustomed to royalty. His attitude was studiously careless, while that vivid physiognomy, of which, with all his practice in courts, he is not the absolute master, betrayed his anxiety for the production of effect. One of his legs was thrown heedlessly over the other, to indicate that he was perfectly at his ease; but, at the same time, his piercing and sagacious eye seemed to search amidst the crowd for that reverence both to his person and to his office, to which he surmised perhaps, that he possessed a somewhat disputable claim.

I was not a little amused when his Excellency's eyes encountered those of that redoubtable champion of ascendency, the Reverend Sir Harcourt Lees.* My English readers, who have only known Sir Harcourt through the medium of his loyal celebrity, and who have never seen the prodigy himself, may be disposed to think Sir Harcourt a gaunt and dreary man, with a fanatical and desolate look, and with that grim aspect of devotion which characterized the warlike propagators of Protestantism under the Cromwellian standard. But nothing could be more remote from the plain realities of Sir Harcourt than this "beau-ideal" of that distinguished personage. As he was the next person in importance to Lord Wellesley at the

* Sir Harcourt Lees, who was born in 1776, and died in 1846, was the eldest son of an Englishman who came to Ireland to officiate as private Secretary to Marquis Townshend, when Viceroy, and was successively made Secretary-at-War, and Secretary to the Irish Postoffice — with a patent, continuing the latter office in his family. Under this patent, Edward S. Lees, the second son, succeeded, and held the office, in Dublin, for many years, until he was induced to surrender the document, and was appointed to the postoffice in Edinburgh, where he died, after forty-six years public service. The founder of the family, who was thus solicitous to provide for his offspring, was further honored with a baronetcy. His eldest son, Harcourt, succeeded to the title in 1811, on the death of Sir John Lees, received valuable church-preferment, which, with his patrimonial property, enabled him to live in good style, at Black Rock, near Dublin. One of the mildest and most good-natured men in private, he was bold, abusive, and truculent in public. He was an Orangeman, and violent, beyond all precedent, in his abuse of "O'Connell, the Pope, and the Devil"— for he always named the three in one breath. He started a weekly newspaper called "The Antidote," in which he was wont to empty the vials of his wrath upon the Catholics in general, and Mr. O'Connell in particular. He was accustomed to predict, once every three months or so, that there would be a general rising of the disaffected throughout Ireland, and he was perpetually sending petitions to the King, the Lords, and the Commons, praying them to "put down Popery" and, above all, to send O'Connell to the Tower. When "The Antidote" went the way of many violent party journals — i e. "to the wall,"— Sir Harcourt transferred his lucubrations to "The Warder," another weak and weekly organ of the Orange faction. His handwriting was the most illegible scrawl — just as if an intoxicated spider had fallen into an inkstand, and then crawled and scrawled over a sheet of paper. It is to Sir Harcourt's credit that in his charities, which were great, he made no distinction on account of religion; to want was sufficient claim on the benevolence of this most eccentric man. He was much liked by the Catholics whom he employed, and was on terms almost friendly with O'Connell, against whom he was always writing.—M

Tabinet Ball, it may not be inapposite to say a word or two about him.

For many years he was unknown to the public, and among his own immediate friends was regarded as a harmless and somewhat simple man, who could discuss a bottle of claret much better than a homily, a daring fox-hunter, and a good-humored divine, who would have passed without any sort of note, but for certain flashes of singularity which occasionally broke out, and exhibited points of character at variance with his general habits. What was the astonishment of all Dublin, when it was announced that this plain and unobtrusive lover of the field was the author of a pamphlet filled with the most virulent and acrimonious matter against the religion of the country, and which almost amounted to a call on the Protestant population to rise up in arms and extirpate Popery from the land! The incongruous images, the grotesque associations, and the mixture of drollery and absurdity, indicated some distemper in the writer's mind; but the political passions which raged at the time prevented the Protestants from perceiving the symptoms of delirium in what they took for inspiration.

Sir Harcourt became a public man. I had never seen him before the publication of his book, and was a good deal surprised to find that all this uproar had been produced by a little lumpish man, who rather looked like a superannuated jockey than a divine, with an equestrian slouch in his walk, and the manger in his face, and with a mouth the graceful configuration of which appeared to have been formed by the humming of that stable-melody with which the application of the curry-comb is generally accompanied.*

* Sir Harcourt Lees dressed very much unlike a clergyman — or even a gentleman. A rusty and broad-brimmed hat covered his head. He shaved sometimes, and the unfrequency did not improve his face. Round his neck was twisted a sort of rope of cambric, which probably had been white. On his back was a shabby black coat, much too large for him, which appeared guiltless, since it was built, of the slightest coquetry with a clothes-brush. The rest of his body was contained within a capacious pair of drab inexpressibles, his legs were encased in riding-boots with light brown tops, and his hands were never 'pent up" on any occasion, in the "Utica" of a pair of gloves. He always carried a huge horsewhip, and, whether he walked or rode, perpetually whistled "The Fox-hunter's Jig."—M.

After looking at this singular figure which the tutelary genius of the Church had chosen for its residence, I gave up all my belief in physiognomy, and renounced Lavater for ever. I have since heard that the doctrines of Gall are by no means so much contradicted by the head of this celebrated person as the theory of the Swiss philosopher is refuted by his face; and that divers protuberances are observable upon Sir Harcourt's pericranium, in which vanity, ferocity, and ambition, together with certain other of the polemical faculties, may be easily discerned. It is even whispered that a disciple of Gall, who recently came over from Edinburgh, discovered some bumps upon the head of Doctor Magee, between which and the skull of Sir Harcourt there was a remarkable affinity. In the former there was a much larger quantity of brain, but the theological passions of Sir Harcourt are not less prominently pronounced. It has been added, but I can not take upon myself to say with what truth, that a curious speculator in that fantastic science has caused the skull of the last Sir Thomas Osborne to be dug up, and that the resemblance between Sir Harcourt and that eminent author is truly surprising.

But I feel that I am digressing. Enough to say that Sir Harcourt's success in his first essay against Popery led to other achievements in controversy, and that he was at length recognised beyond all dispute as the most appropriate champion of the Irish Church. His whole character may be summed up in a single sentence of Swift: "He hath been poring so long upon Fox's 'Book of Martyrs,' that he imagines himself living in the reign of Queen Mary, and is resolved to set up as a knight-errant against Popery."

The meeting between the Marquis Wellesley and this celebrated person at the Tabinet Ball excited all my attention. I did not perceive the latter, until a certain expression of defiance, which suddenly came into the Marquis's face, directed my notice to the quarter toward which he was looking, when I beheld, exactly opposite his Excellency, the chief though not very majestic pillar of the Establishment. The worthy Baronet had thrown an expression of derision into his countenance, and did not look very unlike a picture of Momus upon Mr. Lis-

ton's snuff-box.* The Marquis might readily have conjectured that he was laughing at him, and that the recollection of his Excellency's exploits was not a little amusing. Seated upon the throne, with his clinched hand resting upon his thigh, and his marked and diplomatic visage protruded in all the intensity of expression for which it is remarkable, the most noble and puissant Marquis shot his fine and indignant eyes into the soul of his antagonist; while Sir Harcourt, with a half-waggish and half-malevolent aspect, blending the grin of an ostler with the acrimony of a divine, encountered the lofty look of the chief governor of Ireland with a jocular disdain, and gave him to understand that a man of his theological mettle was not to be subjugated by a frown. This physiognomical encounter lasted for a few minutes; and but that Master Ellis, touching Sir Harcourt upon the shoulder, relieved the Marquis from his glance, the result would in all probability have been, that, indignant at the spirit of mockery that pervaded the features of the Baronet, his Excellency would have yielded to his emotions, and, starting up in a paroxysm of imaginary royalty, have exclaimed, "Ay, every inch a king!"

The next person in importance to Sir Harcourt was his Grace the Duke of Leinster.† With the highest rank, and a magnifi-

* John Liston, the best low comedian of his time, possessed much natural humor, naturally illustrated by peculiar features which, whether in repose or action, were remarkably mirth-exciting. The moment an audience saw his face, they felt compelled to laugh. He had the merit, rare in actors, of *not* playing to his audience: what he said and did was apparently irrespective of any spectators. He was of a very melancholy temperament, though he caused wit and mirth in others. He realized a large fortune, at the London theatres. In 1831 he had one hundred pounds sterling a week from Madame Vestris, at the Olympic (a small theatre, in an inconvenient by-street), and remained on this engagement for the last six years of his professional life. Ten years elapsed between his retirement and his death, which took place in 1846, in his sixty-ninth year.—M.

† The Duke of Leinster—"Ireland's only Duke" and premier Marquis, is head of the noble house of Fitzgerald, the founder of which came to England with William the Conqueror, in 1066. Maurice Fitzgerald, who accompanied Henry II., in 1172, and assisted in the subjugation of Ireland was rewarded with a large grant of land in Leinster, and was appointed one of the Governors of the conquered country. His son Gerald, was created Lord of Offaley, in 1216, which title continues, held "by tenure"—which marks its antiquity. The

cent estate, and with a name to which so many national recol lections are painfully but endearingly allied, it must be con fessed that the first peer in Ireland, notwithstanding so many claims upon the public respect, is less sensibly felt, and produces an impression less distinct and palpable, than the renowned champion of the Church. The one is at the head of the nobles and the other of the Protestants of Ireland; and however insane the alacrity of Sir Harcourt may appear, there is something in enthusiasm, be it genuine or affected, which is preferable to the inactive honesty and the inoperative integrity of the Duke. The latter is descended from the first Norman settlers in Ireland. The Fitzgeralds gradually became attached to the country, and were designated as the ultra-Irish, from the barbarous nationality, of which, in the course of that series of rebellions dignified by the name of Irish history, they gave repeated proof. They were of that class of insurgents who earned the ignominious appellation of "*Hibernis ipsis Hiberniores.*" I recollect to have seen their pedigree upon a piece of mouldering parchment, which was produced at a trial in Waterford, connected with the royalties of Dromona, and had been brought by a messenger from the Tower in London. It was a very remarkable document. The words "attainted" or "beheaded" were annexed to the names of more than half the members of this illustrious house.

The love of Ireland appears to have been a family disease,

representative of this house was created Earl of Kildare, in 1316, and the holder of this Earldom was made Viscount Leinster, in the English peerage, in 1745–'6. The Irish Marquisate of Kildare was conferred, in 1761, and the Dukedom in 1766. The present Duke of Leinster, who lives mostly in England, has always professed Whig principles, which are usually anti-Irish. Born in 1791, the Duke was only in his seventh year, when his gallant and unfortunate uncle, Lord Edward Fitzgerald, perished, in 1798. So much undistinguished has the Duke's life been (the Irish significantly call him "a chip in porridge") that the only noticeable thing connected with him, recorded on the tablets of my memory, is the anecdote of his visiting Beau Brummell, at his retreat in Caen. The Duke, who was fresh from Paris, where he had availed himself of the adorning aid of a French tailor, asked the Beau what he thought of his coat? Brummell, taking hold of the collar of it delicately, between his finger and thumb, smiled contemptuously and drawled out, "My dear fellow, do you call this thing—a coat?"—M.

and to have descended to the unfortunate Lord Edward as a malady of the heart, although the sanguinary record of the virtues of his house did not include his name; but it was impossible to look upon that memorial of the scaffold, without recalling the memory of the celebrated person whose failure constituted so large a portion of his crime.* It may be readily imagined, that when the Duke of Leinster returned to Ireland after having attained his full age, in order to take possession

* Lord Edward Fitzgerald, whose tragic fate has excited much sympathy, was only thirty-five years old, in 1798, when the Irish insurrection broke out. He served in America as aide-de-camp to Lord Rawdon, and on his return home, in 1783, obtained a seat in the Irish House of Commons, which he did not long retain, finding legislation insipid. He returned to America, where he imbibed republican principles. William Cobbett, who was Serjeant-Major in his regiment, was discharged through his influence, and described him as "a most humane and excellent man, and the only real honest officer he ever knew in the army." On Lord Edward's return, in 1790, he re-entered Parliament: visited Paris, during the Revolution, got acquainted with Paine; desired his mother to address him as "Le Citoyen Edward Fitzgerald," assisted at a public dinner in celebration of the successes of the French armies; publicly renounced his title; declared himself a republican; and, in consequence, was dismissed the British army. He married Pamela, supposed to be Madame de Genlis' daughter by the Duke of Orleans (Egalité); returned to Dublin; became one of the United Irishmen, joined an armed association against which the Viceroy issued a proclamation; made a Parliamentary attack on the Viceroy and the majority of the House of Commons, as being "the worst subjects the King had;"—apologized by saying, "I am sorry for it;" went to Paris, to engage the Directory to aid the contemplated revolt against British authority; was suspected by the Government, who issued a warrant for his apprehension, but gave him several opportunities of escape, which he declined, saying he was too much involved with others to obtain safety without dishonor; had a thousand pounds offered for his apprehension; was discovered in a place of concealment; killed one of his pursuers with a dagger; was himself wounded and overpowered; and died soon after, in June, 1798. He was attainted, as a traitor, by the Crown, and one of Curran's best speeches was against the injustice of their assuming the guilt of a man neither tried nor convicted, and of debarring his children from their birth-right. The attainder was removed by George IV., which elicited a sonnet of thanks from Lord Byron. The widow of Lord Edward went to reside at Hamburgh, but married again within two years. There appears to have been only one opinion, and that most favorable, of the frank nature, the chivalrous bearing, the active benevolence, the high honor, the gallant courage, and the unselfish patriotism of Lord Edward He was uncle to the present Duke of Leinster.—M.

of his estates, he was an object of great national interest. The associations connected with his name had already secured him the partialities of the country. His frank and open air, the unaffected urbanity of his manners, the kindness and cordiality which distinguished his address, and an expression of dignified good nature in his physiognomy, brought back the recollection of Lord Edward, and gave to his young kinsman a share in the affectionate respect with which the guilty patriotism of that chivalrous nobleman is regarded in Ireland. Few were sufficiently rash to desire that the Duke of Leinster should engage in an enterprise so little likely to be successful, as that which cost Lord Edward his life. Almost all men had become sensible of the hopelessness of such an undertaking: but it was expected that, while the chief of the house of Fitzgerald would abstain from any criminally adventurous speculation, he would, notwithstanding, place himself at the head of the popular party; that he would rally round him the friends of the country; that he would extend to good principles the authority of his rank, and rescue the spirit of Irish whiggism from the scoff with which it had been the fashion in the higher circles to deride it.

A scope of political usefulness was unquestionably given to the Duke. It would have been easy for him to raise up a legitimate and salutary opposition to the abuses of the local government, which were at that time excessive, and to have awed the viceregal despotism of the Duke of Richmond into moderation. There was enough of public virtue left among the aristocracy, to turn it to good practical account, if there had been any man capable of giving it a direction; and of all others, the young Duke of Leinster, from his paramount rank and hereditary station, seemed to be calculated to take the honorable lead. What might not a Duke of Leinster, with even ordinary abilities, and with an active, steadfast, and energetic mind, accomplish in this country? He might place himself at once in the front of a vast and ardent population, and become not only the protector of the Catholics, but the director of the whole body of liberal Protestants in Ireland. The distinctions of sect would, under his influence, be merged

in the community of country, and all religious animosities give way to a comprehensive and philosophical sentiment of nationality. He would be the point of contact, at which the contending factions might meet and cohere together. His rank and property would attract the men who profess illiberal opinions as much out of fashion as out of prejudice; while the democratic parts would find in his name and blood a sufficient guaranty for his fidelity to Ireland. Having been once associated in a stricter intimacy, it is likely that the enthusiasts on both sides would lay down a large portion of their antipathies, and acquire a feeling of forbearance toward each other. Partisanship would in a little time subside, and Catholics and Orangemen would enter into a pacific confederacy for the public good.

Such a junction, formed under the auspices of a Duke of Leinster, would secure to him the respect of a wise, and the fears of a corrupt administration. His opinions among the hereditary counsellors of the crown would carry a paramount authority. His voice in the senate would be that of seven millions of his fellow-countrymen; Ireland would speak through him. The consciousness of the minister that, in times of difficulty and of danger, the Irish people could readily find a man who would insist upon justice — who, sustained by a united population, could insure whatever he required — would instruct the most arbitrary statesman in the anticipating wisdom of concession. It is difficult to conceive a more lofty or a more useful part, than that which it would be easy for a Duke of Leinster to perform; and the facility with which this ideal picture would be realized, induces the more regret that a person surrounded with such numerous opportunities of doing good should have omitted the splendid occasions thrown by birth and fortune in his way. He has voluntarily consigned himself to oblivion.

It required, indeed, that he should make a sort of effort to be forgotten. He has at last succeeded in sinking out of the recollection of the public. He has, if I may so say, dived into Lethe, from which he hardly ever lifts his head. The first injudicious step which he adopted was the sale of his magnifi

cent mansion in Merrion Square. It surpasses any private residence in London, and rather resembles the palace of a Venetian senator than the house of a British subject. That vast structure, upon which enormous sums had been expended by his father, was a perpetual intimation of the importance of the Duke, as long as it was called Leinster House; but after he had sold it to the Dublin Society, and its original designation was laid aside, a memorial of the family was wanting, which the Duke's political conduct was not calculated to supply. He was not contented with this disposal of his family mansion, but took a small house in Dominick street, which he dignified with the appellation of the Duke of Leinster's Office. Many ascribed the sale of his palace (for such it might be called) to a penurious tendency; but, although the Duke is a prudent man, he is not, I believe, addicted to that most ignoble of all vices, and avarice forms no part of his character. The truth is, that the Duke of Leinster is wholly insensible to fame; and such is his aversion to publicity, that I could never bring myself to give any credit to the statement in Harriet Wilson's Memoirs, that his Grace was in the habit of standing behind her carriage.* He has such a horror of the general eye, that I hold it to be impossible that he could ever have achieved a piece of such open and undisguised gallantry as the modern Aspasia has been pleased to ascribe to him.

After having sold his house, the Duke retired to the woods and solitudes of Carton.† There he buried himself from the

* "The Memoirs of Harriet Wilson," which were published about 1824. professed to be written by a noted London courtesan, one of whose sisters had married Lord Berwick, a wealthy peer in Shropshire. This book, which was written on "black-mail" principle, was crowded with details of Miss Wilson's amours, and brought in the names of most of her very extensive acquaintance with the fashionable and aristocratical men of her time. She made a considerable sum by the sale of the work, and yet more by what she received for the suppression of scandals, whether true or false. With this money, Harriet Wilson retired to Paris, where a French Colonel married her. Twenty years after, she returned to England, affected to have become an *imminent* Christian, and died in 1846.—M.

† Carton, in the County of Kildare, is the family mansion and estate of the Duke of Leinster. It was purchased, in January, 1738–'9, by Robert, nineteenth Earl of Kildare, from Thomas Ingoldsby, in Buckinghamshire, England.—M.

inspection, and gradually dropped out of the notice, of the country. Having a turn for mechanics, he provided himself with a large assortment of carpenters' tools, and beguiled the tedium of existence with occupations by which his arms were put into requisition. There is not a better sawyer in the county of Kildare. As you wander through the forests on his demesne, you occasionally meet a vigorous young woodman, with his shirt tucked up to his shoulders, while he lays the axe to the trunk of some lofty tree that totters beneath his stroke. On approaching, you perceive a handsome face, flushed with exercise and health, and covered with perspiration. Should you enter into conversation with him, he will throw off a few jovial words between every descent of the axe; and, if he should pause in his task for breath, will hail you in the tone of good-humored fellowship. He sets to his work again; while you pursue your path through the woodlands, and hear from the ranger of the forest that you have just seen no less a person than his Grace himself.

In the midst of these innocent employments, the Duke of Leinster passes away a life which ought to be devoted to higher purposes. It is with the utmost difficulty that he is occasionally dragged out of his retreat, and consents, some once a-year, to fill the chair at a public meeting. But he takes no part in the deliberations or the measures of popular assemblies, for which he entertains an unaffected distaste, and hurries back to his domestic occupations again. The result has been, that he not only holds no place in the public estimation beyond that which his private virtues confer upon him, but he is without any influence at the Castle. Shortly after Lord Wellesley came to Ireland, the Duke called to pay his respects to his Excellency, who sent him an intimation that he was at the moment too busily engaged to see him, but that, in case he called again, he should be happy to receive his Grace.

At the Tabinet Ball (from which I have made a wide digression, into somewhat too serious, if not extraneous matter), it was easy to observe that the Duke of Leinster, surrounded as he was by all the provincial rank and wealth of Dublin, was not an object of much public concern. As he

mingled among the various circles in the saloon, some person, who chanced to know him, just mentioned, "There is the Duke of Leinster;" while his Grace, neither attracting nor caring for any further notice, passed on without heed to some other part of the room. How different an impression would he have produced, had he taken the more active and intrepid part, to which his fortunes appeared to invite him! The mock regality of a lord-lieutenant would fade at once before him. The representative of a nation would stand superior to the delegate of the king. But, in drawing this contrast, it would be an injustice not to add, that, after all, the Duke of Leinster has a right to make a selection of happiness for himself. He has no ambition. Nature has not mixed that mounting quality in his blood which teaches men to aspire to greatness, and makes them impatient of subordination. If he is deficient in energy, and is without the temperament necessary for high enterprise, he is adorned by many gentle and perhaps redeeming virtues. His life is blameless in every domestic relation; and if he is not admired, he is prized, at least by all those who are acquainted with him. He looks, and I am convinced he is, an exceedingly happy man; and has at all events one of the chief means of felicity, in the amiable and accomplished woman to whom he is united.

The Duchess of Leinster accompanied her husband to the Tabinet Ball. This excellent lady is one of the daughters of Lord Harrington.* She has been some years married to the Duke, and has the reputation of being a most affectionate mother and wife. Although an Englishwoman, she prefers Ireland to her own country, and has never seduced her husband into absenteeism. Lady Morgan should make a heroine

* The Duchess of Leinster, was aunt of the 4th Earl of Harrington, formerly known in fashionable life as Lord Petersham, who married Maria Foote, the lovely actress, in 1831, and died in 1851. His brother, known as Colonel Leicester Stanhope, Byron's intimate and companion in Greece is the present Earl and married the beautiful Miss Green, niece to Mr. Hall, now Chief Police magistrate, at Bow street, London. This lady, some twenty years ago, when in the bloom of youth, was considered one of the most beautiful women in the fashionable world of London —M.

of her.* Few persons are more esteemed and loved than she is. There is a charm in her kind and good-hearted manners, which engages the partiality of those about her, and converts that respect which is due to her station into regard. I have never seen any lady of her distinction in society so wholly free from assumption. There is the enchantment of sincerity in her sweet demeanor, which, in the manners of the great, is above every other charm. She is not beautiful; but there is about her —

> ——— "Something than beauty dearer,
> That for a face not beautiful does more
> Than beauty for the fairest face can do."

A look of benignity, united with a pleasant and vivacious smile, makes you forget a certain want of regularity in her features. I do not quite like her deportment and gait. There seems to be a weakness in her limbs, which prevents a steadiness and measure of movement, necessary for a perfect gracefulness of head. But it is only after a minute observation, made in the spirit which is "nothing if not critical," that any such imperfections are discerned, and they are speedily forgotten in the feeling of kindness which her noble gentleness can not fail to produce.

It was amusing to observe the contrast between the unostentatious affability of her Grace, and the factitious loftiness of the other titled patronesses of the ball. Lady Wellesley had nominated a certain number of vice-presidents of the dance, who were directed to appear with a head-dress of ostrich-feathers, by way of distinguishing them from the ladies to whom that high function had not been confided. Accordingly, about a dozen heads, stuck with a profusion of waving plumage, lifting their nodding honors above the crowd. These

* Lady Morgan, whose maiden name was Sydney Owenson, was daughter of an actor, who anglicized his patronimic Mac-Owen, and was a good performer of Irish characters. Her novel, "The Wild Irish Girl," brought her into notice, and her works, principally travels and fiction, have obtained her much reputation. She wrote the well-known song of "Kate Kearney." She married Sir Charles Morgan, a medical man in Dublin. The British Government has given her a pension of three hundred pounds sterling a year. She lives in London, but her failing sight and the weight of nearly eighty years, have compelled her to relinquish her literary pursuits.—M.

reminded me of the Mexican princesses in prints of Montezuma's court, which I have seen in the History of New Spain. The absence of any superfluity of attire did not make the resemblance less striking. It was pleasant to observe the authoritative simper with which they discharged their high-plumed office, and intimated the important part which they were appointed to play in this fantastic scene. Upon the vulgar in the crowd, such as the wives of rich burghers, of opulent attorneys, and of stuff-gown lawyers, they looked with ineffable disdain; and even to the fat consorts of the aldermen, they scarcely extended a smile of supercilious recognition.

Busily engaged among the latter, I observed Mr. Henry Grattan, who was then a candidate, and is now a representative of the city of Dublin. This gentleman was not a little strenuous at the Tabinet Ball, in his attentions to the ladies, both young and elderly, of the Corporation. He had, upon a former occasion, been defeated by Master Ellis, through the influence of the civic authorities, and was determined to conciliate the leading members of the powerful body by which he had been successfully opposed. He is a singular example of perseverance, and, I rejoice to add, of success, in the steadfast pursuit of an honorable object. His name, the veneration in which his father's memory is so justly held by every true lover of his country, and the earnest which he has himself already given of eminent abilities and of public virtue, gather much of the popular solicitude about him, and render his career in parliament a matter of interesting speculation. Some mention of this young senator, whose foot is yet upon the threshold of the House, may not be inappropriate. "How widely," the reader may say, "do you deviate from the Tabinet Ball!" Be it so. I set down my thoughts as they flow carelessly from my pen.

A word or two, then, of Mr. Henry Grattan.* He is the

* Mr. Henry Grattan continued to sit in Parliament for a long series of years and was uniformly constant in his attendance, and liberal in his principles. He usually voted with O'Connell. He is not a member of the present Parliament. Although pains-taking and industrious, as a business-man, his public course has not been very distinguished. He has published a very reliable and interesting work,—his father's "Life and Times," which is indispensable to the student of Irish history.—M.

second son of the great Irishman, of whom it may be so justly said :—

> "Magnum et venerabile nomen,
> Gentibus, et nostræ multùm quod prodeat urbi."

His father took, from the earliest period, the most anxious care of his mind, upon which he set a high value. I have been assured by a gentleman, whose authority I could not for a moment question, that the late Mr. Grattan, in presenting his son to his tutor at Trinity College, expressed his conviction of his superior qualifications, and said that he hoped to leave "his Henry" as a noble bequest to his country. The great patriot saw in the mind of his son what Doctor Johnson calls "the latent possibilities of excellence;" and he was anxious, as well from a national as from a parental feeling, to bring them forth. Mr. Henry Grattan, while in college, enjoyed the double advantage of an excellent system of public education, and of having a domestic pattern of the admirable in eloquence and in patriotism perpetually before his eyes. His career in the University was highly honorable; and in the Historical Society, which, if it were not a school of genuine oratory, was at all events a useful nursery of declamation, obtained universal plaudits. Having taken his degrees with credit, he entered the Temple, and went through the usual masticating process, by which the British youth are initiated into the mysteries of the law. He became, while in London, a member of the society called "The Academic," which holds debates upon all the entities, and distinguished himself by a force and strenuousness of elocution to which that debating assocation was little accustomed. Upon his return to Dublin, after having gone through his two years' novitiate, and eaten his way to the Bar, he dedicated himself to political rather than to forensic pursuits. His illustrious father had been unkindly, and, in my judgment, ungratefully treated by the Irish Catholics. Mr. Henry Grattan resented these injuries with more asperity than it was, perhaps, judicious to have expressed, and involved himself in some personal altercations, which are now happily forgotten. Having a turn for composition, but not being sufficiently versed in the arts of vituperative insinuation, he pub-

lished one or two articles in the "Evening Post," of too undisguised a kind, against the Duke of Richmond, which produced a prosecution.* He had a narrow escape from the fangs of Mr. Saurin, and was, I believe, obliged to remunerate the proprietor of the newspaper at no little cost. The great aggravation of his satire was its truth. His celebrated father was, it is understood, a good deal annoyed by the results of these first essays in invective, which obliged him to pay to the King a portion of what he had received from the people.

Until his death, his son did not come directly forward upon the political stage; but when that great man had been deposited in Westminster Abbey (neither Grattan nor Curran is buried in Irish earth),† his son offered himself as a candidate for the representation of the city of Dublin. It ought to have descended to him as an inheritance. He appeared on the hustings with the incomparable services of his illustrious father as his advocate. He combined with the legitimate claims derived from so illustrious a name great personal merit. Yet so high ran the prejudices of party, that Master Ellis, whose only title arose from his hostility to the Catholics, was preferred to him, and the services of the best and most lofty-minded Irishman that ever lived were shamefully forgotten. Painful as such a defeat unquestionably was, he did not relinquish the object on which his heart was set; and having

* The Dublin Evening Post, one of the most respectable journals of Ireland, was long an advocate of the Catholic party. After the passing of the Emancipation Bill, in 1829, it became the organ of the Government. For the last thirty years it was edited by a liberal and able Protestant, Frederick William Conway; who died in 1853.—M.

† The ashes of Curran now repose in the land which he loved so well, and in which his genius and patriotism are reverenced as they deserve. He died on the 14th of October, 1817, and was buried in Paddington Church, London. In 1834, it was determined to remove his remains to Ireland, and a Committee, sitting in Dublin, managed the details. The coffin was received on its arrival by Curran's son and another, was deposited temporarily in the mausoleum at Lyons, the seat of Curran's friend, Lord Cloncurry, and was thence taken to Glasnevin Cemetery, where it lies beneath a magnificent monument of granite, on the model of the tomb of Scipio, on which is carved the one word CURRAN which is sufficient for such a man.—Grattan was buried in Westminister Abbey, where rests all that was mortal of many illustrious men.—M.

ascertained that a number of Roman Catholics had omitted to register their freeholds, by his own personal exertions, and by individual application, he created such a counteraction to the suffrages of the freemen, that, at the last election, he was returned for the city. He did not, at the same time, omit any effort to disarm the corporators of their prejudices, and by every species of legitimate assiduity endeavored to charm their antipathies away. He accordingly paid to the Orange potentates of the Corporation a diligent and obsequious attention.

I observed him actively engaged in this part of his vocation at the Tabinet Ball. No man laughed more loudly at certain reminiscences from "Joe Miller," which Alderman —— was pouring, as original anecdotes, into his ear. The new and graceful pleasantry of the worthy corporator appeared to throw Mr. Grattan into convulsions of merriment, though now and then, in the intervals of laughter, I could perceive an expression of weariness coming over his face, and that effort over the oscitating organs, with which an incipient yawn is smothered and kept in.

My attention was suddenly diverted from this political *téte-a-tête*, by an ejaculation of *ennui*, which was uttered by a young English officer,* who was lounging, with two of his

* In 1823–'24, a cavalry regiment called the Tenth Hussars, formed part of the garrison of Dublin. Its officers were chiefly, if not wholly members of aristocratic families in England, and looked down with unconcealed contempt upon every grade of society in the Irish Metropolis. They condescended, sometimes, merely *pour passer le temps*— to partake of dinners and appear at balls given by the "natives" in Dublin. Here they usually conducted themselves on the "Nil admirari" principle, and showed what magnificent ideas of their own importance were entertained—by themselves. On one occasion, the lady of the house at which there was a rout, good-naturedly asked one of these officers whether she should introduce him to a charming partner for a quadrille? The reply, delivered with a pause between each word, was, "Thank you, but, the Tenth don't daunce!" Another time, an Irish peeress told one of these carpet-knights that a lovely young woman near him was heiress to an immense fortune, and asked if he would not like to make her acquaintance, and try to win the prize? "I'm not a marrying man, myself," was the reply, "but, I shall mention her at mess!"—The excellent comedy (by Croly, the poet and divine), called, "Pride shall have a Fall," in which a party of puppy-officers are introduced and ridiculed, owed some of its success to its presumed intention of satirizing "The Tenth."—M.

military compatriots, through the room. This triumvirate of coxcombs trailed themselves, with an affected listlessness, along, and vented their depreciation of Ireland in elaborately English intonations. They were apparently anxious to give intimation of their superior country; for they put more of their national accent into their voices than well-bred Englishmen are accustomed to do, and seemed vain of the anti-Irish drawl, in which the spirit of mingled tedium and of derision was expressed.

One of them was a handsome and well-formed fellow, the manliness of whose person made a singular contrast with the artificial effeminacy with which his countenance was invested. He lisped in a deep guttural voice, and played with his whiskers as if they were the bow-strings of Cupid. I was not a little amused by the languid complacency with which this athletic Narcissus seemed to contemplate himself. His companion on the right, was the exact reverse of the captain in manner and in aspect; for, with a feeble and fragile form, and the cheek of a woman, he put on an air of warlike defiance, and looked as Madame Vestris would in the part of Pistol. The other was a huge booby in gold and scarlet, with great meanless eyes falling out of their sockets, and with features thrown in a chaos together.

His business appeared to be to grin at the captain's wit, and turn up a pair of dilated nostrils, through which he snorted his disdain of Ireland. These gentlemen were joined by an old officer, who was evidently a man of rank, before whom they immediately assumed an aspect of deference: like themselves he was an Englishman, but of a very different sort. He had the marks of long service on his face, which was of a strongly martial cast. There was no exhibition of haughty fierceness in his air; but his fine intelligent eye had that calm intensity of observation which denotes the "*coup-d'œil militaire.*" His features were aquiline, his color was tinged by the Spanish sun, and his physiognomy united great natural sweetness of expression with the familiar habits of command. He said that he had been greatly delighted with all that he had seen, and had no notion that Dublin could produce such a display of

elegance, opulence, and beauty. He rallied his young friends upon the loss of their hearts, and the likelihood of their carrying back Irish wives to England. Against the possibilities of such a misadventure in matrimony they vehemently protested, and enlarged upon the huge feet and monstrosities of ankle exhibited by the Irish fair.

A ponderous lady, the wife of an honest burgher, was bouncing at the moment through the mazes of the third set, and seemed to be in that interesting condition which a lady of fashion, in "The Vicar of Wakefield," describes as being "all over in a muck of sweat." To make the matter worse, she took it into her head that the officers had selected her as an object of admiration; and throwing a look of greasy amativeness into her face, renewed her efforts at the graceful with a desperate agility. I felt some mortification at the opportunity for ridicule, which was afforded to the young Englishmen by this piece of animated corpulency; but I was relieved by the elder officer, who pointed to a young lady in an adjoining circle of dancers, whom it was only necessary to look at for an instant, in order to feel the influence which perfect beauty will create in the rudest mind. With all their disposition to find fault, the party of military critics at once admitted that the taste of the old colonel could not be impeached, and that such a face and figure would almost justify the violation of the regimental rule, "not to marry in Ireland."

The impression produced by the girl whom the venerable veteran had selected, diverted my attention from the commentaries of the English officers. Though not tall, her figure had the perfection of youthful symmetry. Her limbs were of the finest mould, and with the round plumpness of health, united an aërial lightness and grace. The beautiful epithet which Prospero applies to the sweet minister of his spells, seemed to belong to this fascinating person, who looked as "delicate" as Ariel. Her dress was simple: it consisted merely of a pink tabinet, without decoration. A wreath of flowers bound the black hair, the ringlets of which just shaded the marble of her forehead, but fell in "ambrosial plenty" behind. Her features, although somewhat minute, had the

Siddonian character. Thought and sensibility were mingled like the white and red roses in her cheek. Her eyes were of the finest black; but, although they were both sweet and brilliant, there was an expression about them which I was at first at some loss to define. I afterward perceived that it arose merely from a shortness of sight. I could have remained, as Oroonoko says, gazing "whole nights" upon her, when happily, perhaps, for as much heart as yet abides within me, her *chaperon* warned her, at the conclusion of the dance, that it was time to retire. The morning, indeed, had just begun to show a face scarcely more beautiful, and, as if jealous of such a rival as Miss O'C——, admonished her to depart.* She drew her shawl round her bosom, with a grace which Canova should have turned to marble, and disappeared amidst the crowd who were pouring out of the room. I remained for some moments in that state of revery, which, in my younger days, I mistook for romance, with the image of the lady before me. I was roused from my dream, however, by the recollection that I was past thirty, and that it was five o'clock. The company were gone. I stood alone, where hundreds had recently met in a joyous and brilliant concourse; and I felt how justly, as well as beautifully, Moore has compared the recollections of our youth to the sensations of one

"Who treads alone
Some banquet-hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed;—
Thus in the stilly night, ere slumber's chain has bound me,
Sad memory brings the light of other days around me."

* I have reason to believe that the lady, whose portrait is thus beautifully painted in words, was a daughter of Mr. O'Connell. At that time, she was in the pride of youth and loveliness. All of O'Connell's children were well-looking; his daughters were remarkable for their personal attractions.—M

CATHOLIC LEADERS AND ASSOCIATIONS

I NOW propose to give some account of the various bodies which have successively managed the concerns of the Catholics, and of the individuals who have taken the most active part in their affairs.*

Catholic Associations have been of very long existence. The Confederates of 1642 were the precursors of the Association of 1828. The Catholics entered into a league for the assertion of their civil rights. They opened their proceedings in the city of Kilkenny, where the house is shown in which their assemblies were held. They established two different bodies to represent the Catholic people—namely, a general assembly, and a supreme council. The first included all the lords, prelates, and gentry, of the Catholic body; and the latter consisted of a few select members, chosen by the general assembly out of the different provinces, who acted as a kind of executive, and were recognised as their supreme magistrates. These were "the Confederates." Carte, in his "Life of Ormonde," calls them "an Association." He adds that the first result of their union was an address to the King [Charles I.], in which they demanded justice, and besought him "timely to assign a place where they might with safety express their grievances." On receiving this address, the King issued a commission under the great seal, empowering the commissioners to treat with the

* This sketch, full of historical and personal interest, appeared in October, 1828, and was marked "To be continued"—an unfulfilled promise, probably caused by Mr. Sheil's "invasion of Kent" (immediately after it was written), as related in the next volume.—M.

Confederates, to receive in writing what they had to say or propound, and to transmit it to his Majesty.

This commission was dated the 11th of January, 1642. Ormonde says, in one of his letters, that "the Lords Justices used every endeavor to prevent the success of the commission, and to impede the pacification of the country." The supreme council of "the Confederates" was sitting at Ross, and a despatch was transmitted by the Lords Justices to them, in which the phrase "odious rebellion" was applied to their proceedings. At this insult they took fire—they had arms in their hands, and returned an answer, in which they stated that "it would be a meanness beyond expression in them who fought in the condition of loyal subjects, to come in the repute of rebels to set down their grievances. We take God to witness," added they, "that there are no limits set to the scorn and infamy that are cast upon us, and we will be in the esteem of loyal subjects, or die to a man!" A terrible civil war ensued. On the 28th of July, 1646, Lord Digby published a proclamation of peace with the Confederates. The Pope's Nuncio, Renuccini, induced the former to reject the terms. The war raged on. At length, in 1648, Ormonde concluded a treaty with them; but, soon after, Cromwell landed in Ireland, and crushed the Catholics to the earth.

Thus an early precedent of a Catholic Association is to be found at the distance of upward of a hundred and eighty-six years. I pass over the events of the Revolution. The penal code was enacted. From the Revolution to the reign of George II., the Catholics were so depressed and abject, that they did not dare to petition, and their very silence was frequently the subject of imputation, as affording evidence of a discontented and dissatisfied spirit. Upon the accession of George II., in 1727, Lord Delvin, and the principal of the Roman Catholic gentry, presented a servile address, to be laid by the Lords Justices before the throne. They were in a condition so utterly despicable and degraded, that not even an answer was returned. But Primate Boulter, who was a shrewd and sagacious master of all the arts of colonial tyranny, in a letter to Lord Carteret, intimates his apprehension at this first act since

the Revolution, of the Catholics as a community; and immediately after they were deprived of the elective franchise by the 1st George II., ch. 9, sec. 7. The next year came a bill which was devised by Primate Boulter, to prevent Roman Catholics from acting as solicitors.

Here we find, perhaps, the origin of the Catholic rent. Several Catholics in Cork and Dublin raised a subscription to defray the expense of opposing the bill, and an apostate priest gave information of this conspiracy (for so it was called) to bring in the Pope and the Pretender. The transaction was referred to a committee of the House of Commons, who actually reported that five pounds had been collected, and resolved that "it appeared to them that, under pretence of opposing heads of bills, sums of money had been collected, and a fund established by the Popish inhabitants of this kingdom, highly detrimental to the Protestant interest."

These were the first efforts of the Roman Catholics to obtain relief, or rather to prevent the imposition of additional burdens. They did not, however, act through the medium of a committee or association. It was in the year 1757, upon the appointment of the Duke of Bedford to the viceroyalty of Ireland, that a Committee was for the first time formed, of which the great model, perhaps, was to be discovered in "the Confederates" of 1642; and ever since that period the affairs of the body have been more or less conducted through the medium of assemblies of a similar character. The Committee of 1757 may be justly accounted the parent of the great Convention which has since brought its enormous seven millions into action. The members of the Committee formed in that year were delegated and actually chosen by the people. They were a Parliament invested with all the authority of representation. Their first assembly was held in a tavern called "The Globe," in Essex street, Dublin. After some sittings, Mr. Wyse, of Waterford, the ancestor of the gentleman who has lately made so conspicuous a figure in Catholic politics, proposed a plan of more extended delegation, which was at once adopted. In 1759, this body was brought into recognition by the state; for, upon the alarm of the invasion of Conflans, the Roman Catho-

lic Committee prepared a loyal address, which was presented to John Ponsonby, the then Speaker, by Messrs. Crump and M'Dermot, two delegates, to be transmitted by him to the Lord-Lieutenant. A gracious answer to this address was returned, and published in the "Gazette." The Speaker summoned the two delegates to the House of Commons, and the address was then read. Mr. M'Dermot, in the name of his body, thanked the Speaker for his condescension.

This was the first instance in which the political existence of the Irish Catholics was acknowledged, through the medium of their Committee. This recognition, however, was not followed by any immediate relaxation of the penal code. Twelve years elapsed before any legislative measure was introduced which indicated a more favorable disposition toward the Catholic community, if, indeed, the 11th and 12th of George III. can be considered as having conferred any boon upon that degraded people. The statute was entitled, "An act for the reclaiming of unprofitable bogs;" and it enabled Papists to take fifty acres of unprofitable bog for sixty-one years, with half an acre of arable land adjoining, provided that it should not be within one mile of a town. The provisions of this act of Parliament indicate to what a low condition the great mass of the population had been reduced, and illustrate the justice of Swift's remark, that the Papists had become mere hewers of wood and drawers of water. However, the first step was taken in the progress of concession; and every day the might of numbers, even destitute of all territorial possession, pressed more and more upon the Government.

The Catholic Committee pursued its course, and in 1777 extorted the first important relaxation; for they acquired the right of taking leases for nine hundred and ninety-nine years, and their landed property was made descendible and devisable, in the same manner as Protestant estates. In 1782, the difficulties of the Government augmented, and the Catholic Committee pressed the consideration of their claims upon the Ministry. By the 21st and 22d of George III., Papists were enabled to purchase and dispose of landed property, and were placed, in that respect, upon an equality with Protestants.

Thus they were rashly left beyond the state, but were furnished with that point from which the engine of their power has been since wielded against it.

From 1782 until 1793, no further concessions were made; but the Catholics increased in power, until, in 1792, their Committee assumed a formidable aspect. Theobald Wolfe Tone, in his Memoirs, gives the following account of what may be called the Association of that period: "The General Committee of the Catholics, which, since the year 1792, has made a distinguished figure in the politics of Ireland, was a body composed of their bishops, their country gentlemen, and of a certain number of merchants and traders, all resident in Dublin, but named by the Catholics in the different towns corporate to represent them. The original object of this institution was to obtain the repeal of a partial and oppressive tax called Quarterage, which was levied on the Catholics only; and the Government, which found the Committee at first a convenient instrument on some occasions, connived at their existence. So degraded was the Catholic mind at the period of the formation of their Committee, and long after, that they were happy to be allowed to go up to the Castle with an abominable slavish address to each successive Viceroy; of which, moreover, until the accession of the Duke of Portland in 1782, so little notice was taken, that his Grace was the first who condescended to give them an answer [N. B. this is a mistake]; and, indeed, for above twenty years, the sole business of the general Committee was to prepare and deliver in those records of their depression. The effort which an honest indignation had called forth at the time of the Volunteer Convention of 1783, seemed to have exhausted their strength, and they sunk back into their primitive nullity. Under this appearance of apathy, however a new spirit was gradually arising in the body, owing principally to the exertions and the example of one man, John Keogh, to whose services his country, and more especially the Catholics, are singularly indebted. In fact, the downfall of feudal tyranny was acted in little on the theatre of the General Committee. The influence of their clergy and of their barons was gradually undermined; and the third estate, the com-

mercial interest, rising in wealth and power, was preparing, by degrees, to throw off the yoke, in the imposing, or at least continuing of which, the leaders of the body, I mean the prelates and the aristocracy, to their disgrace be it spoken, were ready to concur. Already had those leaders, acting in obedience to the orders of the Government, which held them in fetters, suffered one or two signal defeats in the Committee, owing principally to the talents and address of John Keogh: the parties began to be defined, and a sturdy democracy of new men, with bolder views and stronger talents, soon superseded the timid counsels and slavish measures of the ancient aristocracy."

Until John Keogh appeared among them, and asserted that superiority in public assemblies which genius and enterprise will always obtain over the sluggish pride of inert and apathetic rank, the proceedings of the Committee had been, as Tone here intimates, under the control of the Catholic aristocracy. They were the sons of men who had lived in the period of utter Catholic degradation; and many of them remembered the time when the privileges of a gentleman were denied to a Catholic nobleman, and a Popish peer was not allowed to wear a sword! They had contrived to retain their properties by expedients which were calculated to debase their political spirit; and it is not very wonderful that even when the period had arrived when they might hold themselves erect, they did not immediately divest themselves of that stoop, which the long habit of bearing burthens had of necessity given.

Accordingly, they opposed the measures of a bold and adventurous character, which the plebeian members of the Committee had suggested; and at last adopted the preposterous expedient of seceding from the body. Wolfe Tone, who was secretary to the Committee, and whose evidence is of great value, gives the following account of this incident:—"The Catholics," he says, "were rapidly advancing in political spirit and information. Every month, every day, as the Revolution in France went prosperously forward, added to their courage and their force, and the hour seemed at last arrived when, after a dreary oppression of above one hundred years, they were

once more to appear in the political theatre of their country. They saw the brilliant prospect of success, which events in France open to their view, and they determined to avail themselves with promptitude of that opportunity which never returns to those who omit it. For this, the active members of the General Committee resolved to set on foot an immediate application to Parliament, praying for a repeal of the penal laws.

"The first difficulty they had to surmount arose in their own body; their peers, their gentry, as they affected to call themselves, and their prelates, either reduced or intimidated by Government, gave the measure all possible opposition; and, at length, after a long contest, in which both parties strained every nerve, and produced the whole of their strength, the question was decided on a division in the Committee, by a majority of at least six to one, in favor of the intended application. The triumph of the young democracy was complete; but, though the aristocracy was defeated, they were not yet entirely broken down. By the instigation of Government, they had the meanness to secede from the General Committee, to disown their acts, and even to publish in the papers, that they did not wish to embarrass the Government, by advancing their claims of emancipation.

"It is difficult to conceive such a degree of political degradation. But what will not the tyranny of an execrable system produce in time? Sixty-eight gentlemen, individually of high spirit, were found, who publicly, and in a body, deserted their party, and their own just claims, and even sanctioned this pitiful desertion by the authority of their signatures. Such an effect had the operation of the penal laws on the Catholics of Ireland, as proud a race as any in all Europe!"

The secession of the aristocracy did not materially enfeeble the people. New exertions were made by the democracy. A plan of more general and faithful representation was devised by Mr. M'Keon, which converted the Committee into a complete Catholic parliament. Members were elected for every county in Ireland, and regularly came to Dublin to attend the meetings of this extraordinary convention. At the head of

this assembly was the individual of whom Wolfe Tone makes such honorable mention, John Keogh.

He was, in the years 1792 and 1793, the unrivalled leader of the Catholic body. He belonged to the middle class of life, and kept a silk-mercer's shop in Parliament street, where he had accumulated considerable wealth. His education had corresponded with his original rank, and he was without the graces and refinements of literature; but he had a vigorous and energetic mind, a great command of pure diction, a striking and simple earnestness of manner, great powers of elucidation, singular dexterity, and an ardent, intrepid, and untameable energy of character. His figure was rather upon a small scale; but he had great force of countenance, an eye of peculiar brilliancy, and an expression in which vehement feelings and the deliberative faculties were combined. He was without a competitor in the arts of debate; occasionally more eloquent speeches were delivered in the Catholic convention, but John Keogh was sure to carry the measure which he had proposed, however encountered with apparently superior powers of declamation.

Wolfe Tone has greatly praised him in several passages of his work; but there are occasional remarks in the diary which was kept by that singular person, when secretary to the Catholic Committee, in which statements unfavorable to John Keogh are expressed. This diary was never intended for publication, and is written in a very easy and familiar style. He calls John Keogh by the name of "Gog," and represents him as exceedingly subtle, dexterous, and cunning, and anxious to such an extent to do everything himself, as to oppose good measures when they were suggested by others. He might have had this fault, but as Wolfe Tone wrote down the ephemeral impressions which were made upon him by occasional incidents in his journal, it is more reasonable to look at the general result of the observations on this able man, which are to be found in his autobiography, than to the remarks which were committed every day to his tablets. As secretary to the Catholics, he was himself liable to be sometimes thwarted by Mr. Keogh; and it is likely that, under the influence of

some small annoyances, he has set down in his journal some strictures upon his friend.

Afterward, however, when Wolfe Tone was in France, he reverts, in the diary subsequently kept by him, to John Keogh, and, when far away, voluntarily writes a high encomium upon the leader of the Irish Catholics. It is to be collected from his work, that John Keogh had a deep hostility to England, and that he was disposed to favor the enterprise of Wolfe Tone. However, he did not, in Ireland, escape the usual charges of corruption. In the year 1793, he negotiated with the Minister the terms upon which the partial emancipation, which was then granted to the Catholics, was to be conceded.

Whenever a leader of the people is brought into contact with authority, he will incur injurious surmises, should the result not correspond with popular expectation. It was said, that had John Keogh insisted upon complete emancipation, everything would, in that moment of emergency, have been obtained. It was insinuated, and for a long time believed, that he received a large sum of money as a remuneration for his complaisance; but there is no sort of proof that he sold his country, and his opulence should, by generous men, who are slow to believe in the degradation of human nature, be rather referred to his honorable industry in his trade, than to any barter of the liberties of Ireland. It is difficult to determine whether, if the Catholics had been peremptory in their requisition for equality, they could have forced the Minister to yield. I am inclined to think that they would have encountered obstacles in the mind of the late King,* which could not

* The Legislative Union of Ireland was the favorite measure of William Pitt. To the Irish Catholics, he held out hopes, nearly as strong as promises, that the abolition of their political disabilities would follow. George III., who was cognizant, all through, of this understanding with the Catholics, was decidedly averse to concession, when the measure was named to him, whereupon Pitt quitted office in disgust. Three years after, he returned to power, and died in January, 1806. "All The Talents," comprising Lord Grenville's Ministry, in 1807, vainly essayed to change the King's Anti-Catholic views (he thought that concession to the Catholics would be a breach of his coronation oath to defend the Protestant Church) and very soon after they were cavalierly dismissed, and the Perceval Ministry formed.—M.

have been overcome; and it must be acknowledged, that for what was obtained (and that was much), his country is principally indebted to Mr. Keogh, and to the Committee of which he was the head.

In 1793 the elective franchise was obtained. The seed was then cast, of which we have seen the fruits in the elections of Waterford, and Louth, and Clare. Great joy prevailed through the Catholic body, who felt that they had now gained, for the first time, a footing in the state, and were armed with the power, if not of bursting open, of at least knocking loudly at the gates of the constitution. For some time the question lay at rest. The rebellion then broke out—the Union succeeded—and the Catholic cause was forgotten. It was not even debated in the British House of Commons until the year 1805, when the measure was lost by an immense majority.

John Keogh, being advanced in life, had retired, in a great degree, from public proceedings, and confined himself to his residence at Mount Jerom, in the vicinity of Dublin. He had been previously defeated in a public assembly by a young barrister, who had begun to make a figure at the bar, to which he was called in the year 1798, and who, the moment he took a part in politics, made a commanding impression. This barrister was Daniel O'Connell, who, in overthrowing the previous leader of the body upon a question connected with the propriety of persevering to petition the legislature, gave proof of the extraordinary abilities which have been since so successfully developed. Mr. Keogh was mortified, but his infirmities, without reference to any pain which he might have suffered, were a sufficient inducement to retire from the stage where he had long performed the principal character with such just applause. Mr. O'Connell was, however, too deeply engaged in his professional pursuits to dedicate as much of his attention and of his time as he has since bestowed to political concerns; and, indeed, the writer of this article remembers the time when his power of public speaking, and of influencing popular assemblies, was by no means so great as it has since become. The fortune with which he came to the bar (for his father and uncle were then alive) was not considerable, and it

was of more importance to him to accumulate legal knowledge and pecuniary resources than to obtain a very shining political name.* So much has been already written with respect to this eminent individual, and the public are so well acquainted with the character of his mind and talents, that it is not necessary to expatiate upon them.

Another person appeared after the secession of John Keogh, of very great abilities, with whose name the English public have been less familiar. Mr. Denis Scully, the eldest son of a gentleman of large property in the County of Tipperary, and who had been called to the bar, obtained, by his admirable writings, an influence almost equal to that of Mr. O'Connell in the Catholic Committee, which was revived in all its vigor, and became the object of Mr. Saurin's prosecutions in 1811. Mr. Scully had, upon his entrance into public life, written some pamphlets in support of Government, and it was believed that his marriage to a lady who was related to Lady Hardwicke had given a determination to his opinions. When Lord Hard-

* O'Connell did not join the United Irishmen in 1798, when he was aged twenty-three. He disapproved of their "argument of force," relying rather on the "force of argument." It is said that he even became member of a yeomanry corps. Two principles he started with, and retained to the end:—that he who committed an outrage supplied the enemy with a weapon to be used against the country, and that Ireland could not be prosperous until the Legislative Union with England was repealed. The "Young Ireland" schism, which so much annoyed him at the close of his career, was caused by his continued resistance to the doctrine of "physical force" held by Meagher, Mitchel, and others of the young and gallant patriots. As for the Union, O'Connell's first public effort was against it. His maiden speech, on January 13, 1800, was at a Catholic meeting in Ireland, and in unequivocal condemnation of that measure. The resolutions of this meeting, drawn up by O'Connell, declared the Union, then proposed, to be "in fact, an extinction of the liberty of Ireland, which would be reduced to the abject condition of a province, surrendered to the mercy of the Minister and Legislature of another country, to be bound by their absolute will, and taxed at their pleasure by laws, in the making of which Ireland would have no efficient representation whatever." All through the struggle for Catholic Emancipation, and to the last, O'Connell was constant in declaring that "the Repeal" must be the end of all. In other words, from 1800 to 1847, O'Connell declared that there must be a Repeal of the Union, to make Ireland

"Great, glorious, and free—
First flower of the earth and first gem of the sea."—M.

wicke was in Ireland, Mr. Scully was a good deal sought for at the Castle.*

His first writings, however, were merely juvenile effusions; and he afterward felt that the only means of obtaining justice for Ireland was by awakening a deep sense of their injuries among the great mass of the people. Accordingly the character of his compositions was materially changed; and from his study in Merrion-square there issued a succession of powerful and inflammatory writings. A newspaper, of which Mr. Æneas Mac Donnel was named the editor, was established by Mr. O'Connell and Mr. Scully; and both those gentlemen, but especially the latter, contributed their money and their talents to its support. The wrongs of the country were presented in the most striking view; and while the Government looked with alarm on these eloquent and virulent expositions of the condition of the people, the people were excited to a point of discontent, to which they had never before been raised.

Mr. Scully gained great influence over the public mind by these services. His work upon the penal code, which is an admirable digest of the laws and of their results, set a crown upon his reputation. No book so able, so convincing, and uniting so much philosophy with so much eloquence, had yet appeared. It brought the whole extent of Catholic suffering at once under view, and condensed and concentrated the evils of the country. This work created an unprecedented impression, and gave to its author an ascendency in the councils of the Catholic Committee. He was greatly inferior to Mr. O'Connell as a speaker, but was considered fully as able in preliminary deliberation. The measures of the body were generally believed to be of his suggestion, and it was said that he had gained a paramount influence over Mr. O'Connell himself. "The witchery resolutions," as they are generally designated—for they related to the influence of an enchantress of fifty over the King†—were supposed to be his composi-

* The third Earl of Hardwicke, born in 1757, was Lord Lieutenant of Ireland from 1801 to 1806, and died in 1834.—M.

† It was fondly anticipated by the Catholics that, whenever the Prince of Wales should have any actual power, he would do what he could to obtain

tion, and it was alleged that he omitted no efforts, in conjunction with the late Lord Donoughmore,* to cause them to be

Emancipation. In 1810, when George III. was again afflicted with insanity (from which he never recovered), his eldest son was made Prince Regent, to govern in his father's name, but, after the first twelve months, with all but the name of King. He retained the illiberal ministry, headed by Mr. Perceval, and at the year's end, declared that he would retain that Minister, though he should be glad if some of his early friends would join the government. Lord Grey and Grenville, whom he named, declined. Immediately after, when the Assassination of Perceval rendered a new ministry necessary, Grey and Grenville were again applied to, but insisted on being allowed, at starting, to change the entire household of the Regent. Sheridan, who supported the Regent and was much in his confidence then, had previously written in their name, as an "Address to the Prince," the following imitation of Rochester's lines to Charles II.:

"In all humility we crave,
Our Regent may become our slave;
And, being so, we trust that he
Will thank us for our loyalty.
Then, if he'll help us to pull down
His father's dignity and crown,
We'll make him, *in some time to come*,
The greatest prince in Christendom."

Lord Liverpool, a strong anti-Catholic, was made Premier. The Irish leaders then passed several resolutions, one of which denounced "the fatal witchery" which had led the Regent to form a ministry hostile to Irish liberty of conscience. This alluded to the then Marchioness of Hertford, a stout, middle-aged woman (the Regent's first wife was "fat, fair, and forty"), and was a strong Tory. It was believed that she was the Regent's mistress, while his most constant male friends were her husband and son — the latter being then nearly forty years of age! These "witchery" resolutions so much annoyed the Regent that, seventeen years elapsed before, under strong pressure, he could be brought to consent to Catholic Emancipation.— M.

* Richard Hely Hutchinson, born 1756, was son of that Mr. Hutchinson (provost of Trinity College, Dublin, in 1761, and Irish Secretary of State in 1777), whose thirst of acquisition was so great that the British Minister described him as one who, if he obtained Ireland as an estate, would ask for the adjacent Isle of Man, as a kitchen garden. The son was created Baron, Viscount, and Earl, and was made a British Viscount in 1821. Dying in 1825, he was succeeded by his brother, who had succeeded Abercrombie in military command in Egypt, and had been created Lord Hutchinson, in 1801, with a pension of two thousand pounds sterling. On his death, in 1832, his nephew became Earl of Donoughmore, but had won a loftier fame, in 1815, by assisting in the escape of Lavalette from the prison in Paris, where certain death awaited him from the vengeance of the Bourbons. During the present century, all the Hutchinson family have been friends of civil and religious liberty.— M.

carried. The resolutions passed at the "Black Abbey" at Kilkenny were also framed by Mr. Scully, who narrowly escaped incarceration for his elucubrations.

Mr. John Magee, the proprietor of the Evening Post, and Mr. Fitzpatrick, were imprisoned for his sins; but I have always understood that Mr. Scully made them a compensation for their sufferings on his account. He became an object of great detestation with the Protestant party, and of corresponding partiality with his own. But, in the height of his political influence, the death of his father, and a domestic lawsuit, which engrossed all his mind, induced him to retire in a great measure from public life; and afterward the decay of health prevented him from taking any part in the proceedings of his body.

The Catholics have sustained a great loss in him. His large property, his indefatigable industry, his profound sense of the injustice which his country had suffered, and the eloquent simplicity with which he gave it expression, rendered him adequate to the part which had devolved upon him. His chief fault lay in the intemperate character of the measures which he recommended. His manner and aspect were in singular contrast and opposition to his political tendencies. In utterance he was remarkably slow and deliberate, and wanted energy and fire. His cadences were singularly monotonous, every sentence ending with a sort of see-saw of the voice, which was by no means natural or agreeable. His gesture was plain and unaffected, and it was easier to discover his emotions by the trembling of his fingers than by his countenance; for his hand would, under the influence of strong feeling or passion, shake and quiver like an aspen-leaf, while his countenance looked like marble. It was impossible to detect his sensations in his features. A deep smile played over his mouth, whether he was indulging in mirthful, in pleasurable, or sarcastic observation. He had some resemblance to Bonaparte in figure, when the latter grew round and corpulent, but was more unwieldy. I have often thought, too, that in his massive and meditative features I could trace an imperial likeness.

It was about sixteen or seventeen years ago that this gentleman made so distinguished a figure in the Catholic Committee. There were many others who at that time took an active share in Catholic politics, and who are since either dead, or have retreated from publicity. The late Lord French was among the most remarkable. He was a very tall, brawny, pallid, and ghastly-looking man, with a peculiarly revolutionary aspect, and realised the ideal notions which one forms of the men who are most likely to become formidable and conspicuous in the midst of a political convulsion. He had a long and oval visage, of which the eyebrows were thick and shaggy, and whose aquiline nose stood out in peculiar prominence, while a fierce smile sat upon cheeks as white as parchment, and his eyes glared with the spirit that sat within them. His manners were characterized by a sort of drawling urbanity, which is observable among the ancient Catholic gentry of Connaught; and he was studiously and sometimes painfully polite. He was not a scholar, and must have received an imperfect education. But his mind was originally a powerful one, and his deep voice, which rolled out in a peculiarly melancholy modification of the Irish brogue, had a dismal and appalling sound. He spoke with fluency a diction which belonged exclusively to him. It was pregnant with vigorous but strange expression, which was illustrated by gesture as bold, but as wild. He was an ostentatious duellist, and had frequent recourse to gladiatorial intimations. Pride was his leading trait of character, and he fell a victim to it. He had connected himself with a bank in Dublin, and having become bankrupt, rather than brook the examination of the commissioners at the Exchange, he put himself, in a paroxysm of insanity, to death. I thought him, with all his defects, a lover of his country.

It would be difficult to imagine two persons more strongly opposite in character and in manner than Lord French and the Premier Catholic nobleman the Earl of Fingal. He has since left to his able and intelligent son the office which he so long and so usefully filled, as head of the Catholic body; but, about the period of which I am speaking, he was the chief, in

point of rank, of the Irish Catholics, and presided at their meetings. Lord Fingal is one of the most amiable and kind men whom it has been my good fortune to have been ever acquainted with. Without the least shadow of arrogance, and although incapable of hurting the feelings of any man, he still preserves his patrician dignity unimpaired, and commands the respect as well as the impartiality of every one who approaches him. Although not equal to his son in intellectual power, he has excellent sense and admirable discretion. He has made few or no mistakes in public life, and very often, by his coolness and discretion, has prevented the adoption of rash and injudicious measures. His manners are disarming; and I have understood, upon good authority, that when in London, where he used almost annually to go, as head of the Catholic body, he has mitigated, by the charm of his converse, the hostility of some of his most rancorous political opponents. As a speaker, he is without much ability; but there is a gentleness and a grace about him which supply the place of eloquence, and render his audience so favorable to him, that he has often succeeded in persuading, where others of greater faculty might have employed the resources of oratory in vain.

An individual, who is now dead, about this time made a great sensation, not only in the Catholic Association, but through the empire. This was the once-famous Doctor Drumgoole, whom Lord Kenyon seems determined not to allow to remain in peace. He was the grand anti-vetoist, and was, I believe, a most sincere and unaffected sentinel of religion. He kept watch over the Catholic hierarchy, and took the whole body of the clergy under his vigilant protection. It was, however, a speech which he delivered at the Shakspere Gallery, in Exchequer street [Dublin], at a Catholic meeting, that tended chiefly to give him notoriety. He assailed the tenets of the established religion with a good deal of that sort of candor which Protestants at that period regarded as the height of presumption, but which is now surpassed every day by the harangues of the orators of the Catholic Association. The Doctor's speech may be considered as a kind of epoch in Catholic politics; for he was the first who ventured to employ against

the opponents of Emancipation the weapons which are habitually used against the professors of the Roman Catholic religion. Men who swear that the creed of the great majority of Christians is idolatrous and superstitious, should not be very sensitive when their controversial virulence is turned upon them.

The moment Doctor Drumgoole's philippic on the Reformation appeared, a great outcry took place, and Roman Catholics were not wanting to modify and explain away the Doctor's scholastic vituperation. He himself, however, was fixed and stubborn as the rock on which he believed that his doctrines were built. No kind of apology could be extorted from him. He was, indeed, a man of a peculiarly stubborn and inflexible cast of mind. It must, however, be admitted that, for every position which he advanced, he was able to adduce very strong and cogent reasoning. He was a physician by profession, but in practice and in predilection he was a theologian of the most uncompromising sort. He had a small fortune, which rendered him independent of patients, and he addicted himself, strenuously and exclusively, to the study of the scholastic arts. He was beyond doubt a very well-informed and a clever man. He had a great command of speech, and yet was not a pleasing speaker. He was slow, monotonous, and invariable. His countenance was full of medical and theological solemnity, and he was wont to carry a huge stick with a golden head, on which he used to press both his hands in speaking; and indeed, from the manner in which he swayed his body, and knocked his stick at the end of every period to the ground, which he accompanied with a strange and guttural "hem!" he seemed to me a kind of rhetorical pavior, who was busily engaged in making the great road of Liberty, and paving the way to Emancipation.

The Doctor was in private life a very good and gentle-natured man. You could not stir the placidity of his temper unless you touched upon the Veto; and upon that point he was scarcely master of himself. I remember well, years after all discussion upon the subject had subsided, when I was in Paris, on a visit at the house of a friend of the Doctor's and my own, he suddenly walked in, just after his arrival from Rome. I

had not seen him for a considerable time, but I had scarcely asked him how he was, when he reverted to the Veto. A debate (it was in the year 1819) was immediately opened on the subject. Some Irish gentlemen dropped casually in; they all took their share in the argument. The eloquence of the different disputants became inflamed: the windows toward the street had been left unhappily open; a crowd of Frenchmen collected outside, and the other inhabitants of the house gathered at the doors to hear the discussion. It was only after the Doctor, who was still under the influence of Vetophobia, had taken his leave, that I perceived the absurdity of the incident. A volume of "Gil Blas" was on the table where we happened to have been assembled, and by accident I lighted on the passage in which he describes the Irish disputants at Salamanca: "*Je rencontrois quelque fois des figures Hibernoises. Il falloit nous voir disputer*," &c. We are a strange people, and deserve our designation at the foreign universities, where it was proverbially said of the Irish that they were "*ratione furentes*."

There were others besides the persons whom I have described, who at this juncture took a part in the Catholic politics, and who are deserving of mention; but as they have recently made a figure even more conspicuous than at the Catholic Committee, I reserve them for subsequent delineation. The only other person whom I remember as worthy of much note, and who has retired from Catholic assemblies, was Peter Bodkin Hussey. Peter was a very droll, sarcastic, and amusing debater. He dealt almost exclusively in irony, and employed a good deal of grotesque imagery in his action, which, if it did not instruct, served at least the purposes of entertainment. He had a very rubicund and caustic countenance, that was surmounted with a profusion of red hair; and, from his manner and aspect, he was not unhappily designated as "Red Precipitate." I don't know from what motive he has retired from political life; but, though he is still young, he has not recently appeared at any Roman Catholic assembly.

These were the individuals who, besides the performers who still continue on the boards, chiefly figured at the Catholic Committee, which, in the year 1811, was made the object of a

prosecution by Mr. Saurin. Mr. Kirwan and Doctor Sheridan were indicted upon the Irish Convention Act, for having been elected to sit in the Catholic Parliament. The Government strained every nerve to procure a conviction. Mr. Saurin commenced his speech in the following words: "My Lords and gentlemen of the jury, I can not but congratulate you and the public that the day of justice has at length arrived;" and the then Solicitor-General, the present Chief-Justice Bushe, in speaking of the Committee, constituted as it was, coucluded his oration thus: "Compare such a constitution with the estab lished authorities of the land, all controlled, confined to their respective spheres, balancing and gravitating to each other—all symmetry, all order, all harmony. Behold, on the other hand, this prodigy in the political hemisphere, with eccentric course and portentous glare, bound by no attraction, disdaining any orbit, disturbing the system, and affrighting the world." Upon the first trial, the Catholic Committee were acquitted; but upon the second, the Attorney-General [Saurin] mended his hand, and the jury having been packed, the comet was put out.

The Catholic Committee, as a representative body elected by the people, and consisting of a certain number of members delegated from each town and county, ceased to exist. A great blow had been struck at the cause, and a considerable time elapsed before Ireland recovered from it. The Russian war ensued, and Bonaparte fell. The hopes of the Catholics fell with the peace. A long interval elapsed, in which nothing very important or deserving of record took place. A political lethargy spread itself over the great body of the people, and the assemblies of the Catholics became more unfrequent, and their language more despondent and hopeless than it had ever before been. The unfortunate differences which had taken place between the aristocracy and the great body of the people respecting the Veto, had left many traces of discord behind, and divided them from each other; they no longer exhibited any very formidable object to their antagonists.

Thus matters stood till the year 1821, when the King intimated his intention to visit Ireland. The nation awoke at

this intelligence; and it was believed by the Catholics, and surmised by the Protestants, that their sovereign could scarcely mean to visit this portion of his dominions from any idle curiosity, or from an anxiety to play the principal part in a melodramatic procession through the Irish metropolis. It was reasonably concluded that he must have intended to come as the herald of national tranquillity, and as the great pacificator of his people. Before his arrival, the two parties formed a temporary amnesty; and Mr. O'Connell, who had gained the first eminence in his profession, and had become the undisputed leader of the Catholic body, used his best endeavors to effect a reconciliation between the Orangemen of the Corporation and the Irish Catholics.

Sir Benjamin Bloomfield* arrived in Dublin before his master, and intimated the Royal anxieties that all differences and animosities should be laid aside. Accordingly, it was agreed that a public dinner should be held at Morrison's tavern, where the leaders of both factions should pledge each other in libations of everlasting amity. This national festivity took place; and from the vehement protestations on both sides, it was believed by many that a lasting reconciliation had been effected. Master Ellis and Mr. O'Connell almost embraced each other. The King arrived; the Catholics determined not to intrude their grievances upon him. Accordingly our gracious Sovereign passed rather an agreeable time in Dublin. He was hailed with tumultuous hurrast wherever he passed;

* Sir Benjamin Bloomfield, born in 1762, was an Irish artillery officer when he attracted the notice of the Prince of Wales, who made him a member of his household in 1808, knighted him in 1815, and in 1817, on the resignation of Sir John MacMahon, appointed him Receiver-General of the Duchy of Cornwall, private Secretary, and Keeper of the privy purse. All these were lucrative offices, and Bloomfield "feathered his nest" very well. In 1824, his Royal Master, then George IV. quarrelled with him about a lady (the late fat and fair Marchioness of Conyngham), and Sir Benjamin was sent, in a sort of honorable exile, as Ambassador to Sweden. In May, 1825, he was created Lord Bloomfield, and he died in August, 1846. The secret history of this court favorite's rise and fall is full of interest, but too long to be related here.—M.

† No doubt, a great deal may be done, in the way of concession, to obtain "peace and quietness." This is said to be the principle on which so much

and in return for the enthusiastic reception which he had found, he directed Lord Sidmouth to write a letter, recommending it to the people to be united. His Majesty shortly afterward set sail, with tears in his eyes, from Kingstown. For a little while the Catholics continued under the miserable deception under which they had labored during the Royal sojourn, but when they found that no intention existed to introduce a change of system into Ireland — that the King's visit seemed an artifice, and Lord Sidmouth's epistle meant nothing — and that while men were changed, measures continued substantially unaltered, they began to perceive that some course more effectual than a loyal solicitude not to disturb the repose of Majesty, should be adopted.

The present Catholic Association rose out of the disappointment of the people. Its foundations were laid by Mr. O'Connell, in conjunction with Mr. Sheil. They both happened to meet at the house of a common friend in the mountains of Wicklow, and after exchanging their opinions on the deplorable state to which the Catholic mind had been reduced, and the utter want of system and organization in the body, it was agreed by those gentlemen that they should both sign an address to the Irish Catholics, and enclose it to the principal members of the body. This proceeding was considered presumptuous by many of the individuals to whom their manifesto was directed; and under other circumstances, perhaps, it might be regarded as an instance of extreme self-reliance; but it was absolutely necessary that some endeavor should be made to rouse the national mind from the torpor into which it had fallen.

A very thin meeting, which did not consist of more than

power is permitted to the fair sex.—O'Connell yielded a great deal when George the Fourth came to Ireland, in 1821, whereof Byron wrote,

"The Messiah of royalty comes,
Like a goodly Leviathan rolled from the waves."

O'Connell presented an immense shamrock to George IV., and even drank "The pious, glorious, and immortal memory of William III.," with Dublin Corporation — the offensive part of the toast was no doubt omitted. But as soon as the King left the island, the old political feuds revived — the stronger for the interregnum.— M.

about twenty individuals, was held at a tavern set up by a man of the name of Dempsey, in Sackville street; and it was there determined that something should be done. The foundations of the Association were then laid, and it must be owned that its first meetings afforded few indications of the importance and the magnitude to which it was destined to be raised. The attendance was so thin, and the public appeared so insensible to the proceedings which took place in those small convocations, that it is almost surprising that the enterprise was not relinquished in despair. The Association in its origin was treated with contempt, not only by its open adversaries, but Catholics themselves spoke of it with derision, and spurned at the walls of mud, which their brethren had rapidly thrown up, and which were afterward to become *altæ mœnia Romæ*. At length, however, the men who had formerly been active in Catholic affairs were got together, and the great body of the people were awakened from their insensibility. The powerful appeals of Daniel O'Connell, who now began to develop even greater abilities than he had before exhibited, and whose ambition was excited by the progress which he had made in his profession, stirred the mind of Ireland.

The aristocracy, who had been previously alienated, had forgotten many affronts which had been put upon them, and began to reunite themselves with the people. Lord Killeen, the son of the Earl of Fingal, came forward as the representative of his father and of the Catholic nobility. He was free from the habits of submission which the Catholic aristocracy had contracted at the period of their extreme depression, and was animated by an ardent consciousness of the rights which were withheld from him. This young nobleman threw himself into a zealous co-operation with Mr. O'Connell, and by his abilities aided the impression which his rank and station were calculated to produce. His example was followed by other noblemen; and Lord Gormanstown, a Catholic peer of great fortune, and of very ancient descent, although hitherto unused to public life, appeared at the Catholic Association. This good man had labored for many years under the impression that the Catholics were frustrating their own objects by the

violence with which they were pursued, and had, in consequence, absented himself from their assemblies; but at length the delusion passed away. His example was followed by the Earl of Kenmare, who, though he did not actually attend the Association (for he abhors popular exhibition), sent in the authority of his name, and his pecuniary contribution.

Thus the aristocracy was consolidated with the Catholic democracy, and Mr. O'Connell began to wield them both with the power of which new manifestations were every day given. In a little time a general movement was produced through the country; the national attention was fixed upon the deliberations of the body which had thus started up from the ruins of the old Catholic Committee; its meetings became crowded to excess. The newspapers teemed with vehement harangues; and the public mind, heated and excited by these impassioned and constantly-repeated appeals,* began to exhibit an entirely different character.

The junction of the aristocracy and of the democracy was a most important achievement. But this confederacy was greatly strengthened by the alliance of another and still more powerful body, the Catholic priesthood of Ireland. The sympathy which the clergy have manifested in the efforts of the Association, and the political part which they have lately played, are to be referred, in a great measure, to the influence of a very greatly gifted man. Doctor Doyle, the Catholic Bishop of Kildare and Leighlin, is certainly among the most remarkable men who have appeared in this strange state of things, and has most essentially contributed to the moral and

* O'Connell's voice was deep, sonorous, and manageable. Its transitions from the higher to the lower notes were wondrously effective. He rather affected a full Irish pronunciation, on which was slightly grafted something of the accent which, in his youth, he had involuntarily picked up in France. No man had a clearer pronunciation — at times, it even went to the extent of almost syllabicizing long words. He could speak for a longer time than most men, without pausing to take breath. When making a speech, his mouth was very expressive. In his eyes (of a cold, clear blue), there was little speculation, but the true Irish expression of feeling, passion, and intellect, played about his lips. Looking at him, as he spoke, an observer might note the sentiment about to issue from those lips, before the words had utterance — just as we see the lightning-flash before we hear the thunder-peal. — M.

political feeling which has grown up among the people.* He was educated at a university in Portugal, where it was not very likely that he would contract any very ardent attachment to freedom, but his original love of his country overcame the theology of Coimbra, and he returned to Ireland with a mind deeply imbued with learning, fraught with eloquence, and burning with patriotism.

He was for some time a professor in the Ecclesiastical College at Carlow, and, before he was made a bishop, was unknown as a politician. But the crosier had been scarcely

* The Reverend James Doyle, D. D., was an Irishman, who, being intended for the Catholic priesthood, received his education at Coimbra, in Portugal, whence he removed on being appointed Professor of Theology to the College of Carlow. In 1819, and before he was forty years old, he was made Catholic Bishop of Kildare and Leighlin — being the youngest man ever raised to the prelacy in Ireland. His erudition was great and his controversial skill soon became eminent. In 1823, Dr. Magee, Protestant Archbishop of Dublin, published a charge to his clergy, in which he warned them of the assaults on Protestantism from Catholics and Dissenters — or, as he chose to express it, from "a church without religion, and a religion without a church." This antithesis provoked Dr. Doyle, who replied to Dr. Magee in a cutting and learned work, showing that the Protestant Church was itself a usurpation, that its Bishops were usurpers, and that the Apostolical Succession could not properly be traced by or for them through the Catholic Church. Dr. Doyle signed this "J. K. L." the initials of his prelatic signature, "James Kildare and Leighlin," and his future publications, which were numerous, bore the same distinguishing letters.— He was much in favor of Poor Laws for Ireland, and succeeded in converting Mr. O'Connell to his opinion. When that gentleman returned to his original opposition to Poor Laws, Dr. Doyle publicly declared that a man so unstable in opinion was unsuited for a great popular leader. It was in noticing this that O'Connell declared that "Consistency was a rascally doctrine." Dr. Doyle was a firm believer in the miracles said to have been wrought by or through the instrumentality of Prince Hohenloe.— Dr. Doyle's evidence, before a Committee of the House of Lords, in 1825, on the state of Ireland, attracted great attention then, and for years after, and tended much to extend his reputation as a close observer and philosophical reasoner. He died, June 15, 1834 at Braganza House, near Carlow, a mansion which had been purchased as a residence for the Catholic Bishops of the diocese. He had furnished this at his own expense, and bequeathed the contents of this house, including his library, to his successor. He had succeeded in building, in Carlow, one of the finest Cathedrals in Ireland, obtaining the necessary funds by much self-privations, and by unwearied solicitations of the wealthy, and his mortal remains were interred within the walls of this beautiful and hallowed fane.— M.

placed in his hands when he raised it in the cause of his country. He wrote, and his writings were so strikingly eloquent in diction and powerful in reasoning, that they at once invited the attention of the public. He fearlessly broached doctrines which not only startled the Government, but gave alarm to some of the hoary professors at Maynooth. In the following passage in his letter to Mr. Robertson, after speaking of the likelihood of a rebellion and a French invasion, he says: "The Minister of England can not look to the exertions of the Catholic priesthood: they have been ill-treated, and they may yield for a moment to the influence of nature, though it be opposed to grace. This clergy, with a few exceptions, are from the ranks of the people; they inherit their feelings; they are not, as formerly, brought up under despotic governments; and they have imbibed the doctrines of Locke and Paley, more deeply than those of Bellarmin, or even of Bossuet, on the divine right of kings. They know much more of the principles of the constitution than they do of passive obedience. If a rebellion were raging from Carrickfergus to Cape Clear, no sentence of excommunication would ever be fulminated by a Catholic prelate."

This announcement of what is now obviously the truth created a sort of consternation. Lord Wellesley, it is said, in order to neutralize the effects of this fierce episcopal warning, appealed to Maynooth; and from Maynooth there issued a document in which it is well understood that the students and even the President, Dr. Crotty, did not agree, but to which names of five of the theological professors were attached. The persons who were mainly instrumental in getting up a declaration in favor of passive obedience (which is, however, more mitigated than the famous proclamation of servility which issued from the University of Oxford) were two old French doctors of Sorbonne, who had found bread in the Irish College, Monsieur de la Hogue and Monsieur François d'Anglade. These individuals belonged, when in their own country, to the "ancien regime;" and, with a good deal of learning, imported into Ireland a very strong relish for submission The following was their protest against Dr. Doyle;—

"*Royal Catholic College of St. Patrick, Maynooth.*—In consequence of recent public allusions to the domestic education of the Catholic Clergy, we the undersigned, Professors of the Roman Catholic College of Maynooth, deem it a duty which we owe to Religion and to the country, solemnly and publicly to state, that, in our respective situations, we have uniformly inculcated allegiance to our gracious Sovereign, respect for the constituted authorities, and obedience to the Laws.

"In discharging this solemn duty, we have been guided by the unchangeable principles of the Catholic Religion, plainly and forcibly contained in the following precepts of St. Peter and St. Paul:

"'Be ye subject, therefore, to every human creature for God's sake; whether it be to the King, as excelling, or to governors sent by him, for the punishment of evil-doers, and for the praise of the good: for so is the will of God, that by doing well you may put to silence the ignorance of foolish men, as free and not as making liberty a cloak for malice, but as the servants of God. Honor all men. Love the brotherhood. Fear God. Honor the King——For this is thanks-worthy, if for conscience toward God a man endures sorrows, suffering wrongfully. For what glory is it, if committing sin, and being suffering for it, you endure? But if doing well you suffer patiently, this is thanks-worthy before God.' 1st Ep. of St. Peter, c. ii.

"'Let every soul be subject to higher powers: for there is no power but from God; and those that are, are ordained of God. Therefore, he that resisteth the power, resisteth the ordinance of God. And they that resist, purchase to themselves damnation. For Princes are not a terror to the good work, but to the evil. Wilt thou, then, not be afraid of the Power? Do that which is good, and thou shalt have praise for the same.——Wherefore be subject of necessity, not only for wrath, but also for conscience sake.' Ep. to the Rom. c. xiii.

"Our commentaries on these texts can not be better conveyed than in the language of Tertullian: 'Christians are aware who has conferred their power on the Emperors: they know it is God, after whom they are first in rank, and second to

no other. From the same Source which imparts life they also derive their power. We Christians invoke on all the Emperors the blessings of long life, a prosperous reign, domestic security, a brave army, a devoted senate, and a moral people.'—Apology, chap. 30.

"Into the sincerity of these professions we challenge the most rigid inquiry; and we appeal with confidence to the peaceable and loyal conduct of the Clergy educated in this Establishment, and to their exertions to preserve the public order, as evidence of the soundness of the principles inculcated in this College. These principles are the same which have been ever taught by the Catholic Church; and if any change has been wrought in the minds of the Clergy of Ireland, it is, that religious obligation is here strengthened by motives of gratitude, and confirmed by sworn allegiance, from which no power on earth can absolve."

Such was the Sorbonne manifesto, which, notwithstanding the awful names of La Hogue and d'Anglade, was laughed at by the Irish priesthood. The reputation of Doctor Doyle was more widely extended by this effort of antiquated divinity to suppress him; and the Government found additional proofs in the result of his publication of the unfortunate truths which it contained.

J. K. L., the name by which Dr. Doyle is generally known, and which is composed of the initials of his titular designation, threw into the Catholic Association all the influence of his sacred authority; and, having openly joined that body, increased the reverence with which the people had previously considered its proceedings, and imparted to it something of a religious character. The example which was given by Doctor Doyle was followed by other dignitaries of the Church, of whom the most remarkable are Doctor Murray, the Archbishop of Dublin, and Doctor Kelly, the Bishop of Waterford.

Doctor Murray is the successor of the late Doctor Troy.*

* The Right Reverend Thomas Troy, D. D., Roman Catholic Archbishop of Dublin, was born July 7, 1739, and died May 11, 1823. It is curious and historically instructive, to compare this prelate's poverty with the wealth of some of the Protestant hierarchy. The personal property left by *each* of the last three

That excellent ecclesiastic had for many years presided over the see of Dublin, rather with the prudence and caution which had been acquired in times of political oppression, than with the energy and determination which became the augmenting power of the Catholic body. He had acquired his habits at an epoch, if not of servility, of oppression, and had been accustomed to accomplish, by dexterous acquiescence, what would now be insisted upon as a right. During the Irish rebellion he is said to have shown great skill; and, by his influence at the Castle, prevented the Roman Catholic chapels from being closed up. He was accounted a good divine, but had neither the faculty of composition nor of speech. He had received his education at Rome, and was a member of the order of St. Dominic. He had the look, too, of a holy *bon-vivant*, for he was squat and corpulent, had a considerable abdominal plenitude, and a ruddy countenance, with a strong determination of blood to the nose. Yet his aspect belied him, for he was conspicuous for the simplicity and abstemiousness of his life; and although Lord Norbury, observing Mr. Æneas M'Donnel descending the steps of his house, exclaimed, "There is pious Æneas coming from the sack of Troy," and by the celebrity of the pun extended to the Doctor a renown for hospitality, the latter had scarcely the means of supporting himself in a manner consistent with his clerical station. He died in exceeding poverty, for one guinea only was found in his possession. This arose partly from the narrowness of his income, and partly from his generous disposition. He had about eight hundred pounds a-year, and expended it on the poor.

This good man was succeeded by the present Archbishop of Dublin, Doctor Murray.* He was educated in the University

Archbishops of Armagh was over two hundred thousand pounds sterling. The income of the Bishopric of Derry which is now *only* four thousand five hundred pounds sterling a year! was formerly twenty thousand — more, in fact, than that of the Archbishopric of Tuam. Therefore when the Earl of Bristol, Bishop of Derry, had the offer of the arch-diocese of Tuam, his significant reply was "I prefer *meum* to *tuum*." As a general rule, the Protestant bishops leave much wealth behind them, and the Catholic prelates accumulate nothing.—M.

* The late Archbishop Murray was respected by all classes and creeds for his liberality of opinion and his practical common sense. He was well appre-

of Salamanca, but his mind is untarnished by the smoke of the scholastic lamp, and he has a spirit of liberty within him which shows how compatible the ardent citizen is with the enthusiastic priest. His manners are not at all Spanish, although he passed many years in Spain under the tuition of Doctor Curtis, the Catholic Primate, who was professor of theology in Salamanca,† and is one of its peculiar "Bachelors." Doctor Curtis is almost more Spanish than the Spanish themselves, for he has a restlessness of gesture, and a flexibility of the physiognomical muscles, which surpass the vivacity of Andalusia, and with one finger laid upon his nose, with his eyes starting from his head, and with the other hand quivering like that of a Chinese juggler, he presents the most singular spectacle of episcopal vividness, at the age of ninety-one, which I have ever seen.

His pupil and brother-Archbishop of Dublin is meek, composed, and placid, and has an expression of patience, of sweetness, and benignity, united with strong intellectual intimations, which would fix the attention of any ordinary observer who chanced to see him in the public way. He has great dignity and simplicity of deportment, and has a bearing befitting his rank without the least touch of arrogance. His voice is singularly soft and harmonious; and even in reproof itself he does

ciated by successive Viceroys, since 1829—even the most intolerant of them respecting a man who wielded immense power, but avoided all misdirection of it. Like his predecessor, Dr. Troy, he died poor.—M.

* Dr. Curtis, Catholic primate of Ireland, had held a high official position in Salamanca, when the Duke of Wellington was battling with the French, in the Peninsula, and had rendered such essential services to his Grace, that, after the war was over, they continued to correspond, as friends. In December, 1828, when O'Connell's election for Clare had brought on a crisis, he wrote to the Duke, pressing Catholic Emancipation on him, as a necessity. The Duke's reply was dubious—he did not see how the desiderated measure could *then* be granted, and he recommended that the question "be buried in oblivion" for a time, so that men might calmly consider it! Dr. Curtis sent this letter to the Marquis of Anglesea, who took it as involving a sort of promise to do "justice to Ireland" and wrote a reply, accordingly, urging that the question be agitated, and not buried in oblivion. For this expression of his opinions he was recalled—but, in less than two months, Wellington came before the country, with a proposal, on the part of the Government, to grant the Catholic claims.—M.

not put his Christian gentleness aside. His preaching is of the first order. It is difficult to hear his sermons upon charity without tears; and there is, independently of the charms of diction and the graces of elocution, of which he is a master, an internal evidence of his own profound conviction of what he utters, that makes its way to the heart. When he stands in the pulpit, it is no exaggeration to say that he diffuses a kind of piety about him; he seems to belong to the holy edifice, and it may be said of him with perfect truth —

> "At church, with meek and unaffected grace,
> His looks adorned the venerable place."

It is obvious that such a man, attended by all the influence which his office, his abilities, and his apostolic life, confer upon him, must have added great weight to the proceedings of the Association, when, with a zeal in patriotism corresponding with his ardor in religion, he caused himself to be enrolled among its members. "The contemplation of the wrongs of my country" (he exclaimed, at a public meeting held in the beautiful and magnificent Catholic Cathedral in Marlborough street, Dublin) — "the contemplation of the wrongs of my country makes my soul burn within me!" As he spoke thus, he pressed to his heart the hand which the people were accustomed to see exalted from the altar in raising the Host to heaven. His fine countenance was inflamed with emotion, and his whole frame trembled under the dominion of the vehement feeling by which he was excited.

These are the men whom our Government, in its wisdom, have placed in alienation from the state, and whose character has been sketched in the passage which I have quoted from the works of Doctor Doyle. The other eminent ecclesiastic who contributed greatly to augment the power of the Association, was Doctor Kelly, the terror of the Beresfords, and the author of Mr. Villiers Stuart. This able man, the Becket of Ireland, was imported to us from America.

END OF VOL. I.

CONTENTS OF VOL. II.

LORD NORBURY.

His Rise and Progress.—Fighting One's Way to Fortune.—Sir Boyle Roche's *Bulls*.—Robert Emmett's Trial.—Norbury's Judicial Brutality.—His Personal Appearance.—Scenes in his Court.—A Noble Jester.—His Intolerant Politics.—The Saurin Letter.—His Enforced Resignation..... PAGE 5

CLONMEL ASSIZES.

Murder of Mr. Chadwick.—Trial and Execution of Patrick Grace.—The Approver and Vengeance.—Murder of Daniel Mara.—Trial of the Assassins.—Earl of Kingston.—The Melodrama of Crime.—Capital Conviction.—Causes of Irish Disaffection..... 41

THE CATHOLIC BAR.

Exclusion of Catholics.—Sir Theobald Butler's Pleading against the Penal Laws.—The Gallant Sarsfield.—British Violation of the Treaty of Limerick.—Lord Chesterfield and Lady Palmer.—Mr. William Bellew.—Catholic Marriages.—Money.—The Court of Chancery.—A Catholic Lawyer's Religious Manifestations..... 75

SIR MICHAEL O'LOGHLIN.

His Person, Deportment, and Descent.—Bar Costume.—Bumbo Green, the Legal Falstaff.—British Judicial System.—Chief-Baron O'Grady.—Sir W. C. Smith.—O'Loghlin appointed Master of the Rolls.—Is made a Baronet.—His Danish Ancestor..... 106

LORD-CHANCELLOR BLACKBURNE.

Chief Baron Wolfe.—Peter Henchey and Lord Manners.—Peter Burrowes.—Ill-timed Ascendency Manifestation.—Curran's Eloquence and Conversation.—Blackburne's Practice and Promotions.—Orange Charter Toast.—The Burning of the Sheas.—Sheil's Speech to the Peasantry..... 118

CONFESSIONS OF A JUNIOR BARRISTER.

Training for the Bar.—Gale Jones.—Early Struggles.—An Aggregate Meeting.—Results of an Oration.—The Lawyer in Love.—A Double Confidant.—*Eloquence de Billet*.—The Gain of Godliness.—Hope deferred.—Dancing into Practice..... 154

LORD-CHANCELLOR MANNERS.

His Biography.—Farewell to the Irish Bar.—Mr. Joy's Valedictions.—Catholic Magistrates.—Dublin Corporation ..... PAGE 172

THE MANNERS TESTIMONIAL.

Scenes in the Chancellor's Career.—The Jesuits.—Judicial Incompetency.—Lord Rathdown in Character..... 184

THE CATHOLIC DEPUTATION.

Catholic Politics in 1825.—Invasion of England.—O'Connell *en route*.—Dr. Milner and Charles Butler.—Burdett, Plunket, Brougham, Wetherell, Peel, and Joseph Hume, the Dukes of Devonshire and Leinster, Lords Durham and Abinger, Dukes of Sussex and Norfolk, Coke of Norfolk.—Character of O'Connell's Eloquence.—Catholic Meeting in London.—A Dinner Batch of Nobles.—Charles James Fox and Lord Grey. 192

ARCHIBALD HAMILTON ROWAN.

An Irish Patriot.—Remarkable Exterior.—Flight from Prison.—Jackson's Chivalry.—Asylum in America 230

JOHN LESLIE FOSTER.

Louth Election in 1826.—The Roden and Oriel League.—Harry Mills, the "Village Hampden."—Cost of making a Peer.—Leslie Foster in Parliament.—Nobility among the Commons.—Marquis of Anglesey.—Bot Smith.—The Customs' Job.—Foster in Ermine..... 235

THE CLARE ELECTION, IN 1828.

Vesey Fitzgerald opposed by the Catholic Association.—Candidate-Hunting.—O'Connell in the Field.—Tom Steele, O'Gorman Mahon, and "Honest Jack Lawless."—Father Tom Maguire.—The Priest of Corofin.—The Contest.—O'Connell's Victory, and its Results.—Sheil's Speech.—"The Duke" and Catholic Emancipation..... 265

PENENDEN HEATH MEETING.

Gathering of the "Men of Kent."—Cobbett and Hunt.—The Brunswickers.—Lord Camden, a Model Sinecurist.—Sheil's Unspoken Speech .. 315

LORD CHANCELLOR BROUGHAM, IN 1831.

His Elevation.—Lord Lyndhurst.—The Chancellor's Levee.—Archbishops of Canterbury and York.—Wellington and Brougham.—Francis Jeffrey.—Scarlett.—Jocky Bell.—The Speaker.—Lord Denman..... 340

STATE OF PARTIES IN DUBLIN.

Recent Changes.—Mr. Bellew "in Silk Attire."—O'Loghlin.—Purcel O'Gorman.—Dublin Election.—The Candidates: Moore and Recorder Shaw, Harty and Louis Perrin.—Sir Anthony Hart and the Master of the Rolls.—Mr. Saurin.—Dutch Smugglers.—Popular Triumph..... 354

INDEX..... 367

SKETCHES OF THE IRISH BAR.

LORD NORBURY.

THREE remarkable incidents have lately taken place. LORD NORBURY, in testimony of his long and numerous services, has been created an earl, Lord Plunket has sunk into his successor, and Lord Manners took his leave amidst a strong odor of onions, and the tears of the Irish Bar.* I had intended to make these three events the groundwork of the present article; for Lord Plunket's first appearance on the stage from which Lord Norbury had just made his exit—his wan and dejected aspect, which was, as much as his intellect, in contrast with that of his predecessor—the melancholy smile which superseded his habitually haughty and sardonic expression—the exultation of his antagonists at seeing him descend from his recent elevation, and the sympathy which the liberal portion of the Bar felt in what was considered as his fall, presented a scene of deep and extraordinary interest.

It was also my purpose (inasmuch as no reasonable expectation can be entertained that a new edition of Rose and Beattie will afford an opportunity of attaching, by way of appendix

* This Sketch was published in November, 1827, but appears to have been written before Canning's death, which took place in August, during the same year. The retirement of Lord Manners from the Chancellorship, and the appointment of Plunket as Chief-Justice of the Common Pleas, took place, under Canning's Administration, in 1827.—M

to those immortal records of judicial wisdom, a report of Lord Manners's last judgment upon himself) to preserve some account of his lordship's final adjudication upon his own merits, and to commemorate the tear that fell upon that pathetic occasion from the "Outalissi" of the Four Courts—

> "The first, the last, the only tear
> That Peter Henchey shed:"

but I find that the first of the incidents to which I have referred, together with an account of the progress of Lord Norbury through the various parts which he performed in the political theatre, from his first entrance as "an Irish gentleman" in the House of Commons, to his exit as a jester from the bench, will occupy so much space, that I must confine myself to the biography of his Lordship; which, however little it may be instructive, will not, I think, be found unamusing, and falls within the scope of the articles on the Irish Bar.

In the account given by Sir Pertinax Macsycophant of his rise and progress in the world, he states that his only patrimony was a piece of parental advice, which stood him in lieu of an estate. I have heard it said, that Lord Norbury, in detailing the circumstances which attended his original advancement in life, generally commenced the narrative of his adventures with a death-bed scene of a peculiarly Irish character. His father, a gentleman of a respectable Protestant family in the county of Tipperary, called him in his last moments to his side, and after stating that, in order to sustain the ancient and venerable name of Toler in its dignity, he had devised the estate derived from a sergeant (not at law) to his eldest son, the old Cromwellian drew from under his pillow a case of silver-mounted pistols, and, delivering this "donatio mortis causâ," charged him never to omit exhibiting the promptitude of an Irish gentleman, in resorting to these forensic and parliamentary instruments of advancement.*

* Lord Norbury made frequent, if not good, use of his pistols—"barkers," as they were called in fighting parlance. He fought with several persons, one of whom was the ruffianly "Fighting Fitzgerald" who was finally hanged for murder. In those days a duel was necessary to fix a man's character. When a young man entered society, the first word was, "What family does he come

The family acres having gone to the eldest brother, our hero proceeded with his specific legacy, well oiled and primed, to Dublin, having no other fortune than the family pistols, and a couple of hundred pounds, when he was called, in the year 1770, to the Bar. The period is so remote, that no account of his earlier exploits, beyond that of his habitual substitution of the canons of chivalry for those of law, has remained. With one of his contemporaries, the late Sir Frederick Flood, I was acquainted, and I have heard that eminent person, whom the intellectual aristocracy of Wexford sent to supply the place of Mr. Fuller in the British House of Commons,* occa-

from?" the second, "Who has he *blazed* with?" When plain Mr. Toler, Lord Norbury quarrelled with Sir Jonah Barrington. It was in the House of Commons, when Barrington having accused him of having "a hand for every man and a heart for nobody" (which was true to the letter), Toler gave a sharp reply, and hurriedly retired. Barrington, who understood his look, followed. The Speaker sent in pursuit of both gentlemen. Barrington was overtaken, running down Nassau street, and, on his resistance, was bodily snatched up, in presence of a shouting mob of grinning spectators, and literally carried into the House, on a man's shoulders. Toler, caught by his coat-skirts being fastened by a door, was seized, and pulled until the skirts were separated from the garment. The Speaker called on both to give a promise that the affair should go no farther, which Barrington did at once. Toler rose to speak, *minus* his skirts, and the laughter caused by his appearance was increased when Curran gravely said that "it was offering an unparalleled insult to the House, for one honorable member to *trim* another member's *jacket*, within the precincts of Parliament, and almost in view of the Speaker himself." To the last, even when judge, Norbury was anxious to display himself in the duello. There is no doubt that his advancement was owing more to his readiness to challenge and fight, than to any merit as a lawyer. He valued his life at nothing—a very fair estimate.—M.

* Sir Frederick Flood was member for Wexford County in the Imperial Parliament, where he was much laughed at for his blunders, his ostentation, and his good temper. He used to adopt almost any suggestion, while making a speech. Praising the Wexford magistracy for their zeal, he suggested, "They ought to receive some signal mark of vice-regal favor." Egan (commonly called Bully Egan, and judge of Dublin County) jocularly whispered, "and be whipped at the cart's tail." Flood, hearing the words, completed his speech by adding—"and be whipped at the cart's tail!" He did not discover his unconscious mistake, until awakened by a shout of laughter from his auditors. Jack Fuller was an English M. P., who was the acknowledged Parliamentary buffoon, after the brilliant wit of Sheridan ceased to enliven the Legislature. Fuller was a mere joker: Sheridan a man of genius.—M.

sionally expatiate on the feats which he used to perform with Lord Norbury, with something of the spirit with which Justice Shallow records his achievements at Clement's Inn. "Oh the mad days that I have spent," Sir Frederick used to say, "and to think that so many of my old acquaintances are dead!" The details, however, of his narrations have escaped me. I had calculated that, as he was a strict disciple of Abernethy (except when he dined out), he would have equalled Cornaro in longevity; but being as abstemious in his dress as in his diet, and having denied himself the luxury of an exterior integument, Sir Frederick coughed himself, a couple of winters since, unexpectedly away. I am, therefore, unable to resort to any of Lord Norbury's original companions, for an authentic account of the first development of his genius at the Irish Bar.

If that bar had been constituted as it is at present, at the period when Lord Norbury was called, it is difficult to imagine how he could have succeeded. Destitute of knowledge, with a mind which, however shrewd and sagacious in the perception of his own interests, was unused to consider, and was almost incapable of comprehending any legal proposition, he could never have risen to any sort of eminence, where perspicuity or erudition was requisite for success. But the qualifications for distinction, at the time when Lord Norbury was called, were essentially different from what they are at present. Endowed with the lungs of Stentor, and a vivacity of temperament which sustained him in all the turbulence of Irish Nisi Prius, and superadding to his physical attributes for noise and bluster, a dauntless determination, he obtained some employment in those departments of his profession, in which merits of the kind were at that time of value. His elder brother, Daniel, was elected member for the county of Tipperary, which brought him into connection with Government; but, besides his brother's vote, he is reported to have intimated to the ministry, that upon all necessary occasions his life should be at their service. The first exploit from which his claims upon the gratitude of the local administration of the country were chiefly derived, was the "putting down," to use the technical phrase, of Mr.

Napper Tandy.* The latter was a distinguished member of the Whig Club, and was a tribune of the people.

Tandy had set up great pretensions to intrepidity, but, having come into collision with Lord Norbury, manifested so little alacrity in accepting the ready tender which was made to him by that intrepid loyalist, that the latter was considered to have gained a decided superiority. Napper Tandy remained lingering on the threshold of the arena, while the prize-fighter of the ministers rushed into it at once, and brandished his sword amidst the applauses of that party, of which he was thenceforward the champion. The friends of Napper Tandy accounted for his tardiness in calling on Lord Norbury (who declared his willingness to meet him in half an hour), by referring it to an apprehension that the House of Commons would interfere; but it seems probable that the patriot of the hour set a higher estimate upon his existence than it merited,

* James Napper Tandy was an Irishman, of good family, high education, and respectable fortune. He was a United Irishman, and retired to France, to avoid arrest in Ireland. There he received a commission, as general of brigade, in one of the expeditions against Ireland, in 1798, which came to nothing. The year following, Napper Tandy was in Hamburgh, where the English Government had spies, and the local authorities surrendered him, as a prisoner claimed by England. Napoleon, who was then first consul, reclaimed Tandy, as an officer in the army of France, and declared that if a hair of his head were touched, an English officer of equal rank, taken prisoner in France, should be hanged. The threat was a strong one, the man likely to execute it, and, instead of executing Tandy as "a traitor," England exchanged him, as a prisoner-of-war. He died in the French service. Napoleon levied a heavy fine on the city of Hamburgh for their breach of neutrality in surrendering a French officer. It should be noted that Theobald Wolfe Tone, taken in arms in Le Hoche, a French ship-of-war which took troops to Ireland in September, 1798, had as much right to be reclaimed by France, in whose military office he was, as Tandy. There was not time to do so, so rapidly did his trial and conviction follow his capture. It is known that Tone cut his throat in prison, to avoid death on the scaffold. But it is not generally known that it was seriously discussed by the Irish executive, whether, "for the sake of the example," he should not be conducted to the gallows, half-dead as he was, and executed forthwith — though to do so, it would be necessary to insert the halter within the wound, and thereby probably tear the victim's head from his body! Humanity or the fear of public execration prevailed, and Tone was suffered to die in peace, after lingering for eight days in mortal pain. — M.

while Lord Norbury rated himself at his real value, and did not "set his life at a pin's fee."

After this affair, which mainly contributed to the making of his fortunes, the minister determined to turn the principal talent which he appeared to possess, and of which he had given so conspicuous a proof to farther account. In the Irish House of Commons, the government party, when hard pressed, converted the debate into a sort of sanguinary burletta, in which Lord Norbury, then Sergeant Toler, and Sir Boyle Roche,* of blundering memory, were their favorite performers.

* Sir Boyle Roche was an Irish Baronet, who had a seat in Parliament, and was the droll of the House. He was famous for his *bulls* — which, though the expression might be incorrect, generally involved aphorisms of sound sense. He was of respectable family — with a claim to the title of Viscount Fermoy, but never urging it. Once, when it was stated, on a money-grant, that it was unjust to saddle posterity with a debt incurred to benefit the present generation, Sir Boyle rose up and said, "Why should we beggar ourselves to benefit posterity? What has posterity done for us?" The laugh which followed rather surprised him, as he was unconscious of his blunder. He explained: "Sir, by posterity I do not mean our ancestors, but those who come immediately *after them.*" —Arguing in favor of a harsh Government measure, he urged that it would be better to give up not only a *part*, but even the *whole* of the constitution, to preserve the *remainder.*"—On another occasion, as a free translation of

"Tu ne cede malis, sed contra audentior ito,"

he said "The best way to *avoid* danger, is *to meet it plump.*"—Complaining of the smallness of wine-bottles, he suggested that a bill should be passed enacting that every quart-bottle should hold a quart.—He married Sir John Cave's eldest daughter, and boasted that if he had an older one, Sir John would have given her to him.—Fearing the progress of revolutionary opinions, he drew a frightful picture of the future, remarking that the House of Commons might be invaded by ruffians who, said he, "would cut us to mince-meat and throw our bleeding heads on that table, to stare us in the face."—Arguing in favor of the Union of Ireland with England, he said (rather wittily) that "there was no Levitical degrees between nations, and, on this occasion, he saw neither sin nor shame in *marrying our own sister.*"—He brought in a bill for the improvement of the Dublin police, who were in the habit of sleeping on their post, at night, and introduced a clause to the effect that "every watchman should be *compelled* to sleep in the daytime." On this, another member arose and begged to be included in that clause, by name, "as he was troubled with the gout and sometimes could not sleep by night or day."—He assisted in preparing a bill to provide for the erection of a new jail in Dublin, and stated that the new prison should be built on the site and with the materials of the old one, and that the prisoners should

When Grattan had ignited the House of Commons, and succeeded in awakening some recollections of public virtue in that corrupt and prostituted assembly, or when Mr. Ponsonby, the leader of the Whig aristocracy, had, by his clear and simple exposition of the real interests of the country, brought a reluctant conviction of their duty to those who were most interested in shutting it out, finding themselves unequal to cope in eloquence with the one, or in argument with the other, the government managers produced Sir Boyle Roche and Sergeant Toler upon the scene.

On Grattan the experiment of bullying was not tried, for his firmness was too well known. Sir Boyle was, therefore, appointed to reply to him, as his absurdities were found to be useful in restoring the House to that moral tone, from which the elevating declamation of the greatest speaker of his time had for a moment raised them. Under the influence of Sir Boyle's blunders, which were in part intended, the Irish legislators recovered their characteristic pleasantry, and "made merry of a nation's woes;" while Sergeant Toler, who almost equalled Sir Boyle in absurdity, and was more naturally, be-

continue to reside in the old prison until the new one was completed! — Barrington states that the postillion of Lord Lisle having been mulcted in damages for crim. con. with Lady Lisle, and imprisoned in default of payment, and an applicant for relief as an Insolvent Debtor, which the Legislature resisted, Sir Boyle Roche argued for him (and with much plausibility) that "Lady Lisle, and not Dennis M'Carthy, must have been the real seducer," and concluded by asking "Mr. Speaker, what was this poor servant's crime? — Sure, it was only doing his master's business by his mistress's order." — Curran used to say that Sir Boyle Roche had a rival in an Irish Judge, who sagely contended, in an argument on the construction of a will, that "it appeared to him that the testator meant to keep a life interest in the estate to himself." Curran answered, "True, my Lord; testators do generally secure a life interest for themselves, but in this case, I rather think you *take the will for the deed.*" Sir Boyle Roche's bulls illustrated what may be called arguing wrongly from right premises. To illustrate this, let me add a bull by another. Two Irishmen met, after a long separation, and to an inquiry after the health of a third person, the reply was, "Oh, he's been ill. He's had the fever. It has worn him down, as thin as a thread-paper. *You* are thin, and *I* am thin, but *he* is thinner than *both of us put together.*" Here the idea is fully conveyed, but, in the hurry of clothing the thought with language, the mode of expression is incorrect. And such is that amusing thing — an Irish Bull. — M.

cause he was involuntarily extravagant, played his part, and was let loose upon Mr. Ponsonby, whose nerves were of a delicate organization, with singular effect. That eminent statesman had made a speech, recommending Catholic Emancipation, and other collateral measures, as the only means of rescuing Ireland from the ruin which impended over her. He was always remarkable for the dignified urbanity of his manners, and in the speech to which Sergeant Toler replied, scarcely any man but Toler could have found materials for personal vituperation.

The English reader will be able to form some idea of the system on which the debates of the Irish House of Commons were carried on, and to estimate Lord Norbury's powers of minacious oratory, from the following extract from the parliamentary debates: "What was it come to, that in the Irish House of Commons they should listen to one of their own members degrading the character of an Irish gentleman by language which was fitted but for hallooing a mob? Had he heard a man uttering out of those doors such language as that by which the honorable gentleman had violated the decorum of Parliament, he would have seized *the ruffian by the throat*, and dragged him to the dust! What were the House made of, who could listen in patience to such abominable sentiments? sentiments, thank God! which were acknowledged by no class of men in this country, except the execrable and infamous nest of traitors, who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honorable gentleman had used."—*Irish Parliamentary Debates, Feb.*, 1797.

Of this fragment of vituperation Mr. Ponsonby took no notice; and the object of the orator was attained, in securing himself a new title to the gratitude of those who kept a band of bravoes hired in their service, and could not have selected a more appropriate instrument than Lord Norbury for the purposes of intimidation. To his personal courage, or rather recklessness of the lives of others as well as his own, he is chiefly indebted for his promotion. It was the leading trait

of his character, and, prevailing over his extravagance, invested him with a sort of spurious respectability. In the manifestations of that spirit, which had become habitual, he has persevered to the last; and even since he has been a Chief-Justice has betrayed his original tendency to settle matters after the old Irish fashion, at the distance of twelve paces. He has more than once intimated to a counsel, who was pressing him too closely with a Bill of Exceptions, that he would not seek shelter behind the bench, or merge the gentleman in the Chief-Justice; and, when a celebrated senator charged him with having fallen asleep on a trial for murder, he is reported to have declared that he would resign, in order to demand satisfaction, as "that Scotch *Broom* (Brougham) wanted nothing so much as an Irish *stick*."

In the year 1798, Lord Norbury was his Majesty's Solicitor-General. His services to Government had been hitherto confined to the display of ferocious rhetoric in the House of Commons, of which I have quoted a specimen. The civil disturbances of the country offered a new field to his genius, and afforded him an opportunity of accumulating his claims upon the gratitude of the Crown, which could not have found a more zealous, and, I will even add, a more useful servant during the rebellion. If the juries before whom the hordes who were charged with high treason were put upon their trial, had been either scrupulous or reluctant, if any questions of effectual difficulty could have arisen, and the forms of the law could have been used with any chance of success in the defence of the prisoners, if Justice had not rushed with eagerness through every impediment, and broken all ceremony down, such a Solicitor-General as Lord Norbury would have been an inapplicable and inefficient instrument; but the evidence of informers was generally so direct and simple, and so strong was the impatience of juries to precipitate themselves to a conviction, all niceties and technicalities of the law were so utterly disregarded, and it was so little requisite that the conductors of Government prosecutions should possess either acuteness or knowledge, that Lord Norbury's faculties were quite equal to the discharge of his official duty, while they were in happy

adaptation to the moral character of the public tribunals, and the exigency of the time.

To strike terror into the people was the great object to be attained, and Lord Norbury had many qualifications for the purpose. He stood in a court of justice, not only as the servant of his sovereign, but as the representative, in some measure, of the powerful Cromwellian aristocracy to which his family belonged, and in whose prejudices and passions he himself vehemently participated. His whole bearing and aspect breathed a turbulent spirit of domination. His voice was deep and big; and in despite of the ludicrous associations connected with his character, when it rolled the denunciations of infuriated power through the court, derived from the terrible intimations which it conveyed, an awful and appalling character. He did not, indeed, cease to utter absurdity, but his orations were fraught with a kind of truculent bombast—a sort of sanguinary "fee, fa, fum!" while the dilation of his nostrils, and the fierceness of his look, expressed, if I may so say, the scent of a traitor's blood.* In his moments of excitation (and he is

* It may seem uncharitable to pronounce such an opinion, but there appear strong grounds for thinking that Lord Norbury, as a Judge, felt a sort of morbid pleasure in presiding at the trial, and (what under him was pretty sure to follow) the conviction of persons prosecuted by the Government. During the fatal and blood-stained year of 1798, he was Attorney-General, and had the task—if task it were to him who could say of it, "The duty I delight in physics pain"—of conducting the State Trials. In my youth, when I used to listen to old men's tales of the legal tortures and butcheries of '98, the narrators would tell how "bloody Toler" (as he was called) strained every point against prisoners, how he would insist on every quirk and quibble to convict them, how he would browbeat the witnesses, and all but threaten the juries, and how complacently, when the verdict was delivered, he would insist on the passing of a sentence of immediate—of almost instant death. Such was it, in the case of the Sheareses, mentioned in the preceding volume, where on the part of the Crown, he sternly refused their counsel the slightest pause for rest and thought, after the trial had already lasted sixteen consecutive hours; when, the verdict being returned at eight in the morning, he had the doomed brothers brought up that same afternoon, for judgment; how he insisted on their execution taking place the next morning; and how the condemnation was literally *forced*, by him, on the evidence of a single and tainted witness, the law of England requiring two to establish an overt-act of high treason. Then, too, while Lord Norbury's name was uttered with 'curses both loud and deep," I used to hear of this

capable of ascending beyond the level of ordinary feeling and discourse) his spirit was strongly roused, and his countenance, swelled as it was with passion, and stained with a dark red, became the image of his intellect and of his sensibility. His eyes were inflamed with a ferocious loyalty, and the consciousness of unbounded power; and while they glared on the wretches who stood pale and trembling at the bar, or were fixed in defiance on the counsel for the prisoner, assisted, with

man's inhuman bearing toward Robert Emmett — the kindest, most chivalric, and truest man that ever breathed; who, like Lord Edward Fitzgerald, might have escaped, but, like him, declined to find safety in flight, leaving other and meaner partners in the revolt to face the peril and the death-doom. Emmett, from the first, did not deny his conspiracy against the English misrule which had reduced his country from independence to its opposite — from a kingdom to a province. All through, he was chiefly anxious to show that he never contemplated establishing French power in Ireland — of substituting one tyranny for another. In the speech which he made, after conviction, when called upon to say why judgment of death should not pass, he strongly urged this: — "Small, indeed," said he, "would be our claim to patriotism and sense, and palpable our affectation of the love of liberty, if we were to sell our country to a people who are not only slaves themselves, but the unprincipled and abandoned instruments of imposing slavery on others." In this vindication of his motives, Emmett was repeatedly and roughly interrupted by Norbury. Then came the sharp "You, my lord, are a judge. I am the supposed culprit. I am a man — you are a man also. By a revolution of power we might change places, though we never could change characters." And then the defiance: "There are men concerned in this conspiracy who are not only superior to me, but even to your own conceptions of yourself, my lord — men before the splendor of whose genius and virtues I should bow with respectful deference, and who would not deign to call you friend — who would not disgrace themselves by shaking your blood-stained hand." The Government of that day suspected that three noblemen were in this conspiracy — one of whom, on what suspicion or proof is unknown, was the late Lord Cloncurry, who was arrested. It was a belief in Ireland, from the time that Robert Emmett was executed, that Lord Norbury would meet a doom as tragical. He lived on, however, like the Thane of Cawdor, "a prosperous gentleman." Boundless wealth filled his coffers. Worldly honors crowded upon him. At last he died. But the Irish remembered how the sins of the fathers are visited on the sons. Eight years after Lord Norbury's death, his successor was shot on his own demesne of Durrow Abbey, and, to this hour, there has been no detection of the assassin. As if to make it more inexplicable, the doomed man was a good landlord — as landlords are estimated in Ireland. He was neither absentee, nor exacting, nor litigious. He was simply the representative of the blood-stained judge, and the shaft of vengeance fell upon him. — M.

their savage glare, the canons of extermination which the orator was laying down. A certain trick of expanding his cheeks, and swelling them with wind, which he puffed importantly off, set off his tempestuous adjurations, and made him look as if he were blowing all mercy and compunction away. Thus he was every way well adapted to his terrible task.

Nor was he less qualified, when, in his capacity of Solicitor-General, he was put on the commission, and went as a judge of assize. Much of the same demeanor and deportment was preserved on the bench, where the red robes in which he was arrayed heightened the impression which his face, voice, and figure, were calculated to produce.* There was, however,

* Norbury's personal appearance was very remarkable. He was more than eighty when I first saw him, and resembled a caricatured character in a pantomime rather than a grave judicial personage. Charles Phillips said of him that "the chivalry of Quixote was incased in the paunch of Sancho Panza," but Chivalry and Norbury were antipodes, not synonymes. He had a sort of animal courage, or insensibility to danger, but was innocent of the gallant delight

"Which warriors feel
In foemen worthy of their steel."

He was nearly as broad as he was long, with a large and rubicund face; small and twinkling eyes, and a curious expression of ferret-like keenness, resulting, in all likelihood, from his being perpetually on the watch for the opportunity of a joke. His laugh was so hearty as to be infectious. Like Hamlet, he was "fat and scant of breath," and, was perpetually puffing—like an asthmatic locomotive. From this, though resembling the German civilian in nothing, he had obtained the soubriquet of Puffendorf. On the bench, he would pant, and pun, and puff, chuckling with glee at the laughter he created, until, as the fun came faster and faster, and the buffo grew hotter and hotter, he would let his judicial robe fall from his shoulders, shift his judicial wig to obtain ventilation, and return it to his head, with the tails, most probably, hanging before instead of behind! On one occasion, Lady Castlereagh gave a fancy-ball, at which Lord Norbury appeared as Hawthorn, in "Love in a Village," and was extremely amusing. His dress was a green tabinet, with mother-of-pearl buttons, striped yellow and black vest, and black breeches. If showy, the attire, from its materials, was light. When Norbury next went the Circuit, as judge, this fancy-dress found its way into one of his travelling trunks. The weather was warm the sitting of the Court would last for seven or eight hours, the dress was thin —Norbury donned it, and covered with his ample judicial robes, no one could see it. By-and-by, the heat became almost intolerable. Norbury gave his wig the usual twitch to the side; then he turned up the sleeves of his robe; next, he loosened the girdle which confined it round his waist; and, lastly, when the loosened envelope had gradually opened, there was the Chief Justice seen

this difference, that his spirit of buffoonery became more conspicuous upon the bench. It should not, however, be too hastily concluded that his love of drollery in any degree disqualified him for the exercise of the judicial functions. On the contrary, his merits as a jester were among his most useful and efficient attributes as a judge. He was fanciful or turgid, just as the occasion required.

In his addresses to the jury, he was as swollen with exaggerated loyalty as the gravest supporter of Protestant Ascendency could have desired; while during the rest of the trial, he put on a demeanor of heedless hilarity, which indicated the little value which he attached to the life of an insurgent, and taught the populace at what rate human breath was estimated in his court. The effect of the tortures of Macbriar, in "Old Mortality," is greatly heightened by the merriment by which the Duke of Lauderdale exclaims, "He will make an old proverb good, for he'll scarce ride to-day, though he has had his boots on." I do not, however, believe that the indifference for human life which was indicated by Lord Norbury's judicial mirth, was at all studied or systematic, or the result of cruelty of disposition. He is naturally of a gay and pleasant cast of

in his Hawthorn dress, chuckling over the jokes with which he amused himself and the Court in the intervals between the graver business of sentencing culprits to be hanged.— He was usually very polite to prisoners. On one occasion, when he had to sentence half a dozen, he had them all brought up, in a batch, and, severally naming five of them, pronounced judgment of death. An officer of the Court reminded his Lordship that he had missed one. The convict was sent for. "My good man," said Norbury, blowing like a grampus, "I've made a mistake about you, and I really must beg your pardon [puff puff puff], I should have sentenced you with the rest [puff] and quite omitted your name [puff]—pray excuse me. The sentence of the law is [puff] that you, Darby Mahony [puff]—I really wonder how I came to pass you over—be taken hence to prison, and from prison to the place of execution [puff] and there hanged by the neck until you are dead [puff]—I do hope you will excuse my mistake—and may the Lord [puff] have mercy on your soul. That's all, my good man [puff]—turnkey, remove Darby Mahony." The victim coolly turned round as he was quitting the dock, exclaiming, "Faith, my Lord, I can't thank you for your prayers, for I never heard of any one that throve after your making them!" Norbury, who relished a retort, actually granted Darby a reprieve before leaving the assize-town, and successfully recommended him for a commutation of punishment on his return to Dublin.—M.

mind; and it is, I fancy, impossible for him to keep ludicrous notions out. It is also but justice to him to add, that his jokes were not, like the Duke of Lauderdale's, at the expense of the prisoner, who stood aghast and dismayed before him; and if they showed that he did not entertain any very profound sense of the awfulness of the transition to another state of existence, still, as they were not directed to the culprit at the bar, his witticisms gave no indications of natural savageness of heart, from which I believe him to be wholly free. His imagination was hurried away by some whimsical idea, and the moment a grotesque image presented itself, or a fantastical anecdote was recalled to his recollection, he could not keep it in, but let it involuntarily escape upon the court.

But these vagaries did not render the administration of justice in his hands less terrific; and while he himself gave way to the merriment which he could not restrain, the countenances of the crowds with which the public tribunals were filled, in their fearful expression, as well as their ghastly color, exhibited an awful contrast with his own. He could, indeed, with impunity indulge in these judicial antics amid the assemblage of pallid wretches by whom he was surrounded; when it might be justly said, in reference to them and to the moral expression of his visage and its complexion, "*Cum tot palloribus sufficeret sævus iste vultus, atque rubor, quo se contra pudorem muniebat.*" In his charges, too, he made ample compensation for the conundrums with which he interrupted the examination of witnesses; for he threw off in an instant the character of a jester, resumed the terrors of his deep and denunciating voice, and turning to the prisoners, spoke of that eternity to which he was about to despatch them, with an awfulness and solemnity which justified Lord Clare, who objected to his being created a Chief-Justice, in recommending that he should enter the church, and be made a bishop.

The proposition that those brows, on which the black cap had been so frequently and so conspicuously displayed, should be invested with a mitre, did credit to Lord Clare, who, with all his partiality for the church, was more solicitous for the dignity of the judicial than the episcopal bench; and had his

suggestion been adopted, Lord Norbury, attired in lawn, would have proved an agreeable accession to the House of Lords, and while he relieved the tedium of many a weary debate with his pious jokes and his holy merriment, he would in all likelihood have looked as appropriate a successor of the apostles as their lordships of Ossory or Kilmore. If he had been created Archbishop of Dublin, what a spirit of good humor would have been infused into our polemics; how many a sacred jest would have sparkled in his jovial and laughter-stirring homilies! We should have been spared a fierce and unprovoked aggression on the religion of the people, and should never have seen a barbed and envenomed arrow shot from behind the altar, in shape of a wanton and virulent antithesis. Lord Norbury officiating as Archbishop of Dublin, presents a pleasant picture to the mind, and of a character as truly Christian as the reality affords.

Unfortunately, however, Lord Clare was overruled; and Lord Norbury, having been created a peer, was raised to the Chief-Justiceship of the Common Pleas, on the resignation of Lord Carleton.* For some time the terrors which had attended him during the rebellion, continued to be associated with his name; but at length the recollections of the civil commotions in which he had played so remarkable a part, began to subside

* Hugh Carleton, born at Cork in 1739, was called to the Irish bar after completing his education at Dublin University. He had little success for some years, but rose to the office of Solicitor-General in 1779, which he retained until the appointment of the Duke of Portland, as Viceroy. He was made Chief-Justice of the Common Pleas, in 1787; created Baron Carleton in 1789, and raised to the rank of Viscount in 1797. After the Union, and when he had quitted the judicial bench, Lord Carleton sat in the Imperial Parliament, as one of the Irish Representative peers. He was very unpopular in Ireland — chiefly owing to his harsh conduct toward the Sheareses, in 1798, when presiding at their trial, as previously related in page 99 of first volume. He allowed them nothing like fair play in compelling their advocate, Mr. Curran, to enter on their defence, at midnight, after the trial had already lasted sixteen hours. In 1803, during Emmett's insurrection, when the populace met the carriage of Lord Kilwarden, Chief-Justice of the Queen's Bench, who was rather popular, he was mistaken for Carleton, Chief-Justice of the Common Pleas, and literally killed by mistake. Lord Carleton had such a melancholy aspect and lugubrious manner that Curran declared him to be plaintiff (plaintive) in every case that came before him.—M.

—his energy in the cause of government was forgotten—none but the ridiculous points of his character stood out in any very considerable prominence, and he lost even that species of respect which results from fear.

He was Chief-Justice of the Common Pleas from the year 1800, and diligently employed the whole of that period in earning the reputation which he at length succeeded in establishing through the empire. "Lord Norbury's last joke" has long been the ordinary title to a pleasant paragraph in the English newspapers:* but it is right to add, in his vindication,

* A vast number of puns, each paragraphed as "Lord Norbury's Last," appeared in the Irish newspapers in his lifetime. Every editor who made a joke sent it upon the world as one of the Norbury family. His own jests were better than most of the imitations. A man of his rank was tried before him for arson, and acquitted. The populace shrewdly gave the name of "Moscow" to the ruins of his house. Norbury met him soon after, at a Castle levée. "Glad to meet you *here*," said the judge. "This is my last bachelor's visit, my lord: I am going to turn Benedict." Norbury looked him full in the face while he responded, "Ay, St. Paul says better marry than *burn*."—When giving judgment on a writ of right, he declared that it was insufficient for a demandant to say he "claimed by descent. Such an answer," he continued, "would be a shrewd one for a sweep, who had entered your house, by getting down the chimney; and it would be an easy, as well as a *sweeping* way, of getting in."—A marine officer having canvassed for a directorship in the National Assurance Company of Ireland (there really *was* such a body!) Lord Norbury stated that he was very eligible, no doubt, from his experience in marine risks, his having received premiums for taking lives, and for having himself escaped all damages from fire, though following a profession doubly hazardous; "but," he added, "inasmuch as the Captain does not hold the requisite number of shares to qualify him, it is clear that his want of a sufficient stock of assurance is an insurmountable bar to his election."—At Naas, on circuit, when a Counsel was making a speech, an ass brayed very loudly outside, "One at a time, gentlemen, if you please," said Norbury. Soon after, while his Lordship was addressing the jury, the same long-eared quadruped again began to give tongue. "What noise is that?" The counsel retorted, "Only the echo of the Court, my Lord!"—The Irish had great faith in Edmund Burke's patriotism, which had supported what was called "The Independence of Ireland," viz., when the army of Volunteers, associated in 1779, compelled the British Ministry to repeal the Statute of the sixth of George I., declaring that Ireland was bound by British acts of Parliament, if named therein, that the Irish House of Lords had no jurisdiction in Irish cases of appeal; and that the *dernier ressort*, in all cases, must be to the peers of Great Britain. Burke's son, Richard, was appointed on a large salary, to get up the petition to the Irish Parliament, from the Irish

that much has been attributed to him which does not belong to him; and many a dealer in illegitimate wit, who was ashamed of acknowledging his own productions, laid his spurious offspring at his lordship's door.

As he so essentially contributed to the amusement of the public, he gradually grew into the general favor, and was held in something like the reverence which is entertained by the upper galleries for an eminent actor of farce. His performances at Nisi Prius were greatly preferable, in the decline of the Dublin stage, to any theatrical exhibition; and, as he drew exceedingly full houses, Mr. Jones [patentee of Dublin Theatre] began to look at him with some jealousy, and is said to have been advised by Mr. Sergeant Goold, who had a share of £3565 5*s*. 6¾*d*. in Crow-street Theatre, to file a bill for an injunction against the Chief-Justice, for an infringement of his patent. Lord Norbury was at the head of an excellent company. The spirit of the judge extended itself naturally enough to the counsel; and men who were grave and consid-

Catholics. Ignorant or regardless of the rules of the House of Commons, young Burke determined to present the petition himself, and in the body not at the bar of the House. He had reached the Treasury bench before he was perceived, and cries of "Privilege," and a "A stranger in the House" instantly arose. The Speaker sonorously called on the sergeant-at-arms to do his duty. Dreading arrest, Burke ran toward the bar, where he was faced by the sergeant with a drawn sword; returning, he was stopped, at the table, by the clerk. A chase ensued, the members all keeping their seats, and, at last, Burke escaped behind the Speaker's chair. In the debate which ensued, the sergeant-at-arms was blamed for not having arrested Burke at the back-door. Sir Boyle Roche asked, with much naïveté, "How could the officer stop him in the rear, while he was catching him in the front?" and emphatically declared that "no man could be in two places at one time—barring he was a bird!" When the laughter at this had subsided, Norbury (then Mr. Toler) said "A few days ago, I found an incident, like what has just now occurred, in the cross-readings of the columns of a newspaper. 'Yesterday a petition was presented to the House of Commons—it fortunately missed fire and the villain ran off.'" This renewed the mirth, and no further notice was taken of Burke's escapade. I give the sally, to show how near to the confines of wit was the apt readiness of Norbury's humor.—He had his joke to the very last. His neighbor, Lord Erne, was far advanced in years and bedridden. When his own health failed, he heard of his friend's increased illness. "James," said he to his servant, "go next door, and tell Lord Erne, with my compliments, that it will be a *dead-heat* between us."—M

erate everywhere else, threw off all soberness and propriety, and became infected with the habits of the venerable manager of the court, the moment they entered the Common Pleas. His principal performers were Messrs. Grady, Wallace, O'Connell, and Goold, who instituted a sort of rivalry in uproar, and played against each other.

With such a judge, and such auxiliaries to co-operate with him, some idea may be formed of the attractions which were held out to that numerous class who have no fixed occupation, and by whom, in the hope of laughing hunger away, the Four Courts are frequented in Dublin. Long before Lord Norbury took his seat, the galleries were densely filled with faces strangely expressive of idleness, haggardness, and humor. At about eleven his Lordship's registrar, Mr. Peter Jackson, used to slide in with an official leer; and a little after Lord Norbury entered with a grotesque waddle, and, having bowed to the Bar, cast his eyes round the court. Perceiving a full house, an obvious expression of satisfaction pervaded his countenance; and if he saw any of his acquaintance of a noble family, such as John Claudius Beresford, who had a good deal of time on his hands, in the crowd, he ordered the tipstaff to make way for him, and, in order, I presume, to add to the dignity of the proceedings, placed him beside himself on the bench.

While the jury were swearing, he either nodded familiarly to most of them, occasionally observing, "A most respectable man;" or, if the above-mentioned celebrated member of the house of Curraghmore* chanced to be next him, was engaged in so pleasant a vein of whispering, that it was conjectured, from the heartiness of his laugh, that he must have been talking of the recreations of the Riding-house, and the amusements of 1798.† The junior counsel having opened the pleadings, Lord Norbury generally exclaimed, "A very promising young man! Jackson, what is that young gentleman's name?"—"Mr. ——, my Lord."—"What, of the county of Cork?—I

* Curraghmore, in the County of Waterford. is the seat of the Marquis of Waterford, head of the Beresford family.—M.

† The Riding-house was a place in Dublin, where Beresford used to have suspected "rebels' flogged, with cruelty, to torture them into "loyalty."—M

knew it by his air. Sir, you are a gentleman of very high pretensions, and I protest that I have never heard the many counts stated in a more dignified manner in all my life: I hope I shall find you, like the paper before me, a Daily Freeman in my court." Having despatched the junior, whom he was sure to make the luckless, but sometimes not inappropriate victim of his encomiums, he suffered the leading counsel to proceed.

As he was considered to have a strong bias toward the plaintiff, experimental attorneys brought into the Common Pleas the very worst and most discreditable adventures in litigation. The statement of the case, therefore, generally disclosed some paltry ground of action, which, however, did not prevent his Lordship from exclaiming in the outset, "A very important action indeed! If you make out your facts in evidence, Mr. Wallace, there will be serious matter for the jury." The evidence was then produced; and the witnesses often consisted of wretches vomited out of stews and cellars, whose emaciated and discolored countenances showed their want and their depravity, while their watchful and working eyes intimated that mixture of sagacity and humor by which the lower order of Irish attestators is distinguished. They generally appeared in coats and breeches, the external decency of which, as they were hired for the occasion, was ludicrously contrasted with the ragged and filthy shirt, which Mr. Henry Deane Grady, who was well acquainted with "the inner man" of an Irish witness, though not without repeated injunctions to unbutton, at last compelled them to disclose.

The cross-examinations of this gentleman were admirable pieces of the most serviceable and dexterous extravagance. He was the Scarron of the Bar; and few of the most practised and skilful of the horde of perjurers whom he was employed to encounter, could successfully withstand the exceedingly droll and comical scrutiny through which he forced them to pass. He had a sort of "Hail fellow, well met!" manner with every varlet, which enabled him to get into his heart and core, until he had completely turned him inside out, and excited such a spirit of mirth, that the knave whom he was uncovering.

could not help joining in the merriment which the detection of his villany had produced.

Lord Norbury, however, when he saw Mr. Grady pushing the plaintiff to extremities, used to come to his aid, and rally the broken recollections of the witness. This interposition called the defendant's counsel into stronger action, and they were as vigorously encountered by the counsel on the other side. Interruption created remonstrance; remonstrance called forth retort; retort generated sarcasm; and at length voices were raised so loud, and the blood of the forensic combatants was so warmed, that a general scene of confusion, to which Lord Norbury most amply contributed, took place.

The uproar gradually increased till it became tremendous; and, to add to the tumult, a question of law, which threw Lord Norbury's faculties into complete chaos, was thrown into the conflict. Mr. Grady and Mr. O'Connell shouted upon one side, Mr. Wallace and Mr. Goold upon the other, and at last, Lord Norbury, the witnesses, the counsel, the parties, and the audience, were involved in one universal riot, in which it was difficult to determine whether the laughter of the audience, the exclamations of the parties, the protestations of the witnesses, the cries of the counsel, or the bellowing of Lord Norbury predominated. At length, however, his Lordship's superiority of lungs prevailed; and, like Æolus in his cavern (of whom, with his puffed cheeks and inflamed visage, he would furnish a painter with a model), he shouted his stormy subjects into peace. These scenes repeatedly occurred during the trial, until at last both parties had closed, and a new exhibition took place. This was Lord Norbury's monologue, commonly called a charge.

He usually began by pronouncing the loftiest encomiums upon the party in the action, against whom he intended to advise the jury to give their verdict. For this the audience were well prepared; and accordingly, after he had stated that the defendant was one of the most honorable men alive, and that he knew his father, and loved him, he suddenly came, with a most singular emphasis, which he accompanied with a strange shake of his wig, to the fatal "but," which made the

audience, who were in expectation of it, burst into a fit of laughter, while he proceeded to charge, as he almost uniformly did, in the plaintiff's favor. He then entered more deeply, as he said, into the case, and, flinging his judicial robe half aside, and sometimes casting off his wig, started from his seat, and threw off a wild harangue, in which neither law, method, nor argument, could be discovered. It generally consisted of narratives connected with the history of his early life, which it was impossible to associate with the subject—of jests from Joe Miller, mixed with jokes of his own manufacture, and of sarcastic allusions to any of the counsel who had endeavored to check him during the trial. He was exceedingly fond of quotations from Milton and Shakspere, which, however out of place, were very well delivered, and evinced an excellent enunciation. At the conclusion of his charge, he made some efforts to call the attention of the jury to any leading incident which particularly struck him, but what he meant it was not very easy to conjecture; and when he sat down, the whole performance exhibited a mind which resembled a whirlpool of mud, in which law, facts, arguments, and evidence, were lost in unfathomable confusion.

Some years ago, I remember, at the close of his charges a ludicrous incident, which was a kind of practical commentary, sometimes took place. A poor maniac, well known about the Hall, whose name was "Toby M'Cormick," had been a suitor in the Common Pleas, and had lost his senses in consequence of the loss of his cause. He regularly used to attend the court, to which he was attracted by an odd fantasy:—Toby had got it into his head that he was Lord Norbury himself, having merged all consciousness of his own separate being in the strong image of his Lordship which was constantly present to his mind, while, upon the other hand, he took Lord Norbury for "Toby M'Cormick;" believing that they had made a swap of their personal identities, and exchanged their existence. This strange madman, at the end of Lord Norbury's charges, used to cry out, with some imitation of his manner, "Find for the plaintiff!" and though not intended as a sarcasm upon his habits, yet it was so just a satire that Lord Norbury was half

displeased, and, turning to Peter Jackson, exclaimed, "Jackson, turn Toby M'Cormick out of court!"

I feel that, in the portrait which I have endeavored to draw of the late Chief-Justice of the Irish Common Pleas in presiding at the Nisi-Prius sittings, I have not at all come up to my original. But to describe him in such a way as to match the reality, would be, perhaps, impossible. To conceive what he was, and his stupendous extravagances, it would have been necessary to see the "θηριον αυτο," and have witnessed the prodigy itself. It is no exaggeration to say, that as the wildest farce upon the stage never raised more laughter than his exhibitions from the bench, neither could any writer of dramatic drolleries, who should undertake to draw him, embody the substantial absurdity of his character in any fictitious representation. He might have defied O'Keeffe himself; for although his law was like Lingo's Latin, yet I do not think that even O'Keeffe's genius for extravagance could have done Lord Norbury justice.

In his capacity of Judge, sitting in full court, with his three coadjutors about him, he was almost as ludicrous as in his more tumultuous office of jester at Nisi Prius.* I remember

* A few of Lord Norbury's jests, which are not in general currency, may be worth mentioning here.—Sir Philip Crampton (father of the present British Minister at Washington) was a remarkably fine-looking man, tall in stature, erect in carriage, elegant in manner, graceful in movement. In 1824, when George IV. visited

"The emerald set in the ring of the sea,"

Sir Philip was Surgeon-General of Ireland, which high position he retains. At the King's Levée, he appeared in the rich military uniform of Surgeon-General. The monarch was immediately struck with his appearance, and, turning round to Lord Norbury, who stood by his side, rubicund and burly, asked, "Who is this very handsome officer?" With the merry twinkle of his eyes which always accompanied Norbury's jokes, he answered, "May it please your Majesty, he is General of *the Lancers*."—Lord Norbury was in Tipperary taking what he used to call his health ride. One of the county gentlemen, a Mr. Pepper, joined him, but this deponent saith not whether he was mounted on "The White Horse of the Peppers." His steed, however, was handsome and spirited, and Norbury (who was an excellent judge—of horse-flesh) paid him some compliments on the animal. "Has plenty of life—eh?" Mr. Pepper answered, "So much, that he threw me over his head, the other day."—"Named him, yet?" Mr. Pepper said that he had not. "Why, then," said the joker, "considering who you are, and how he has served you, suppose you call him

when the court presented, in his person, and in that of Judge Mayne, a most amusing and laughable contrast. Never was Rochefoucault's maxim, that "gravity is a mystery of the body to hide the defects of the mind," more strongly exemplified than in the solemn figure which sat for many years on Lord Norbury's left hand, in his administration of the law. By the profound stagnation of his calm and imperturbable visage. which improved on Gratiano's description of a grave man, and not more in stillness than in color resembled "a standing pool;" by a certain shake of his head, which, moving with the mechanical oscillation of a wooden mandarin, made him look like the image of Confucius which is plastered on the dome of the Four Courts; by his long and measured sentences, which issued in tones of oracular wisdom from his dry and ashy lips;

Pepper-caster."—Going to a Levée at Dublin Castle, with another of the judges, they slipped when ascending the stairs. "Oh, my Lord," said Norbury, as he rubbed the broadest part of his person, which had been *barked* by the fall, "you and I have tried many cases in our time, but *the hardest case of all is this staircase.*"—In 1816, when Prince Leopold, who was only a Serene Highness (as only the son of a King can be addressed as Royal) was about marrying the Princess Charlotte of Wales, he was complimented by her father, then Prince Regent of England, with the title of "Royal Highness." This was spoken of before Lord Norbury, who remarked that "Marriage was the true way of making a man lose his *serenity.*"—A quaker named Nott opened a large shop, exactly opposite that of Kinahan, the well-known Dublin grocer, advertised his tea as cheaper and better than any in Ireland, and declared that he would not vend any sugar, as it yielded no profit. The novelty of the concern and the excellence and low price of Nott's tea and coffee drew many customers to him and diminished the sales of Kinahan, his *vis-a-vis* neighbor. Lord Norbury went to the Quaker's, bought fourteen pounds of tea (on which the profit was large), and crossed over to Kinahan's, where he asked for a supply of sugar, on which the profits are or were nominal. While Kinahan was having the sugar weighed, Nott's porter entered the shop with the large parcel of tea for Lord Norbury. "Leave it there, on the counter," said my Lord. Then, turning to Kinahan who was dismayed at seeing one of his oldest and best customers a purchaser at his rival's, Norbury said, "I suppose, Mr. Kinahan, that *you* sell a great deal of sugar—by *Nott selling tea.*"—Some thirty-five years ago, a lusty negro wench, who was called "The Hottentot Venus," was publicly exhibited in Ireland, on account of the remarkable size of her "Western Settlements." "I wonder," said Bushe, "whether she really was a Queen in her own country—as she boasts." Norbury answered, "No doubt: an *ebony ruler*, of course."—M.

by his slow and even gait, and his systematic and regulated gesture, Judge Mayne had contrived, when at the bar, to impose himself as a great lawyer on the public. When he was made a judge, upon the day on which he for the first time took his seat, Mr Keller, one of his contemporaries, and a bitter wag, came into court, and seeing him enthroned in his dignity, with his scarlet robes about him, leaned over the bar bench, and, after musing for some time, while he stretched out his shrewd sardonic face, muttered to himself, "Well, Mayne, there you are!—there you have been raised by your gravity, while my levity still sinks me here."

This pragmatical personage, who was considered deep, while he was only dark and muddy, was fixed, as if for the purposes of contrast, beside Lord Norbury, but so far from diminishing the effect of his judicial drolleries, the vapid melancholy of the one brought the vivacity of his companion into stronger light. In truth, the solemnity of Judge Mayne was nearly as comical as Lord Norbury's humor; and when, seeing a man enter the court who had forgotten to uncover, Judge Mayne rose and said, "I see you standing there like a wild beast, with your hat on,"—the pomp of utterance, and the measured dignity with which this splendid figure in Irish oratory was enunciated, excited nearly as much merriment as the purposed jokes and the ostentatious merriment of the chief of the court.

Nothing, not even Lord Norbury, could induce his brother judge to smile. His features seemed to have some inherent and natural incompatibility with laughter, which the Momus of the bench could not remove. While peals rang upon peals of merriment, and men were obliged to hold their sides, lest they should burst with excess of ridicule, Judge Mayne stood silent, starch, and composed, and never allowed his muscles of rusty iron to give way in any unmeet and extra-judicial relaxation. This union of the Allegro and Penseroso was invaluable to the seekers of fun in the Common Pleas, and it was with regret that the merry public were informed that Judge Mayne had been advised by his physicians to retire from the bench and take up his residence in France. He went, I

understand, to Paris, where he used occasionally to walk, in the brilliant afternoons of that enchanting climate, in the garden of the Tuileries, and, Scott's Quentin Durward being then in vogue, Judge Mayne was taken for the spectre of Trois Echelles

The place of Judge Mayne was latterly supplied by a very able man and an excellent lawyer, Mr. Justice Johnson; and then a scene of a different character, but still exceedingly amusing, was afforded. Lord Norbury was now most unhappily situated, for he had Judge Fletcher upon one hand and Judge Johnson upon the other. The former was a man of an uncommonly vigorous and brawny mind, with a rude but powerful grasp of thought, and with considerable acquirements, both in literature and in his profession. He was destitute of all elegance, either mental or external, but made up for the deficiency by the massive and robust character of his understanding. He had been a devoted Whig at the bar, and hated Lord Norbury for his politics, while he held his intellect in contempt. Dissimulation was not among his attributes; and, as his indifferent health produced a great infirmity of temper (for he was the converse of what a Frenchman defines as a happy man, and had a bad stomach and a good heart), he was at no pains in concealing his disrelish for his brother on the bench. Judge Johnson, who occupied the seat on Lord Norbury's left hand, completed his misfortunes in juxtaposition. There is nothing whatever about Judge Johnson to be laughed at, although his bursts of temperament may sometimes prevoke a smile; but, in adding to Lord Norbury's calamities, he augmented the diversions of the court. He was less habitually atrabilious than Judge Fletcher,* whose characteristic was moroseness

* In the rampant times of "Protestant Ascendency in Church and State," when the government policy was to report Ireland in a state of insurrectionary feeling, and within a hair's-breadth of actual rebellions (so as to justify coercive Acts of Parliament, with which to keep the people quiet), Judge Fletcher gave immense offence to the ruling powers by his charges to Grand Juries, on Circuit, in which he always stated, that if they were rightly governed the Irish would be as well conducted as any people on earth. He used to tell the country-gentlemen, too, that whenever a county, or a district, became disturbed, the great probability was that the landlords' oppressions (though middlemen) or neglect of duty caused the evil. — M.

rather than irritability, but he had an honest vehemence and impetuosity about him, which, whenever his sense of propriety was violated, he could not restrain.

When the Chief-Justice, who was thus disastrously placed, was giving judgment (if the *olla-podrida* which he served up for the general entertainment can be so called), the spectacle derived from the aspect of his brother-judges furnished a vast accession of amusement. Judge Fletcher, indignant at all the absurdity which was thrown up by Lord Norbury, and which bespattered the bench, began expressing his disgust by the character of bilious severity which spread over his countenance, of which the main characteristic was a fierce sourness and a scornful discontent. Judge Johnson, on the other hand, endeavored to conceal his anger, and, placing his elbows on the bench, and thrusting his clinched hands upon his mouth, tried to stifle the indignation, with which, however, it was obvious that he was beginning to tumefy. After a little while, a growl was heard from Judge Fletcher, while Judge Johnson responded with a groan. But, undeterred by any such gentle admonition, their incomparable brother, with a desperate intrepidity, held on his way.

Judge Fletcher had a habit, when exceedingly displeased, of rocking himself in his seat; and, as he was of a considerable bulk, his swinging, which was known to be an intimation of his augmenting anger, was familiar to the bar. As Lord Norbury advanced, the oscillations, accompanied with a deeper growling, described a greater segment of a circle, and shook the whole bench; while Judge Johnson, with his shaggy brows bent and contracted over his face, and with his eyes flashing with passion, used, with an occasional exclamation of mingled indignation and disgust, to turn himself violently round. Still, on Lord Norbury went; until at length, Judge Fletcher, by his pendulous vibrations, came into actual collision with him upon one side, and Judge Johnson, by his averted shrug, hit him on the shoulder upon the other; when, awakened by the simultaneous shock, his Lordship gave a start, and, looking round the bar, who were roaring with laughter at the whole proceeding, discharged two or three puffs; and, felicitating his

brothers on their urbanity and good manners, in revenge for their contumelious estimate of his talents, generally called on the tipstaff to bring him a judicial convenience, and, turning to the wall of the court, retaliated from the bench for the aspersions which they had cast upon him. From one of these two formidable commentators he was latterly relieved, and although Judge Johnson remained beside him, still, in the absence of Judge Fletcher as an auxiliary, he became latterly somewhat mitigated; while Judge Moore, during the Chief-Justice's legal expositions, did no more than intimate his feelings by a look of good-natured commiseration; and Judge Torrens* turned a polite and fastidious smile, full of the gracefulness of the Horse-Guards, upon his noble and learned brother.

Such was Lord Norbury as a Judge. It remains to say a few words of him as a politician. It is almost unnecessary to state that, with such intellectual endowments, he did not coincide with Grattan, and Curran, and Plunket, and Bushe, in the views which were taken by those inferior persons of the interest of their country, but that he agreed in principle and in feeling with Doctor Duigenan, Mr. Dawson, and Sir George Hill,†

* James Torrens, senior puisne judge of the Common Pleas in Ireland, is brother to the late Sir Henry Torrens, who accompanied "The Duke" (then Sir Arthur Wellesley), to Portugal, acted as his Military Secretary, finally (in 1820) became an Adjutant-General of the British army, was the intimate confidant of the Duke of York, and died in 1828.—This relationship, backed by his own reputation as a lawyer, obtained Mr. Torrens' advancement to the bench.—M.

† Sir George Hill and Mr. George Robert Dawson were the Protestant Ascendency members for the city of Londonderry. The name of the former will be recollected, not for any merits of him who bore it, but in connection with the arrest of Tone. In September, 1798, Tone, then holding a military commission under the French Directory, went to make a descent upon Ireland, with three thousand men, and a small naval force under Admiral Bompert. The expedition was met by a British squadron under Admiral Warren. A battle ensued, and, after a gallant combat of six hours' duration, the French were defeated. Tone, who had commanded a battery on board the Admiral's ship, was among the captured officers. He was not recognised — perhaps some who knew him generously avoided doing so. It was suspected that he was of the party. Sir George Hill, his fellow-student at Trinity college, *volunteered* to identify him. While the prisoners were breakfasting with the Earl of Cavan, they were disturbed by Hill and a party of police-officers. Stepping up to Tone, he

and the rest of the illustrious statesmen by whom the cause of Ascendency has been so firmly and so appropriately supported. Lord Norbury was an excellent and uniform Protestant. This was always well known in Ireland, but, his buffoonery having swollen up and concealed the other traits of his character, little notice was taken of his personal predilections.

It was, indeed, his habit to deliver orations to the grand-jury upon the church and state in the home circuit; and in reference to I. K. L.* he often poured out a tirade against "Moll Doyle," one of the wild personifications of agrarian insurrection in the south of Ireland; but, however indecorous these allusions were deemed in a Chief-Justice, the people were so much accustomed to laugh at his Lordship, that even where there was good cause for remonstrance, they could not be prevailed on to regard anything he did in a serious way. As *carte blanche* is given to Grimaldi,† the public allowed Lord Norbury an unlimited license; and in law, politics, and religion, never placed any restraint upon him. At length, however, an

said, "Mr. Tone, I am *very happy* to see you." With much composure Tone replied that he was happy to see Sir George, and politely inquired after Lady Hill. Tone was taken into another room, ironed, sent off to Dublin, tried by court-martial, and sentenced to death, which he anticipated by suicide.—George Robert Dawson, married to Sir Robert Peel's sister, held office under the Duke of Wellington's Administration, and had long been a decided opponent of the Catholic Claims. In 1828, at a Corporation dinner, in Londonderry, he ventured to hint that it might be better to settle the Catholic question, by fair concession, than hazard civil war by continuing to oppose it. This, at such a meeting, was received with groans and hisses. The Orange press denounced Dawson as a traitor—but more rational politicians felt that a Government official would never have uttered such words, except with some knowledge of a coming change of measures, and this was confirmed by Dawson's continuing in office. It was seen that something was in agitation, and that Dawson's speech was a *feeler*. A few months after this, Catholic Emancipation was granted.—Mr. Dawson, who is an excellent man of business, uniting talent with industry, and conscientious principle with both, is now Deputy-Chairman of the Commissioners of Customs, in England.—M.

* The late Dr. Doyle, Catholic Bishop of Kildare and Leighlin.—M.

† Joseph Grimaldi, born in 1779, and deceased in 1837, was noted and popular, in London, for forty years, as an unrivalled pantomimic clown at the theatres. His biographer speaks of a "rich and (paradoxical as the term may seem) *intellectual* buffoonery, peculiarly his own—portraying to the life all that is grotesque in manners, or droll in action."—M.

event occurred which awakened the general notice; and, as there was another and a very obnoxious individual concerned, excited among the Roman Catholics universal indignation.

Lord Norbury has been always remarkable for his frugality. He was in the habit of stuffing papers into the old chairs in his study, in order to supply the deficiency of horse-hair which the incumbency of eighty years had produced in their bottoms. At last, however, they became, even with the aid of this occasional supplement, unfit for use, and were sent by his Lordship to a shop in which old furniture was advertised to be bought and sold. An individual of the name of Monaghan got one of these chairs into his possession, and, finding it stuffed with papers, drew them out. He had been a clerk in an attorney's office, and knew Mr. Saurin's handwriting. He perceived, by the superscription of a letter, that it was written by the Attorney-General, and on opening it he found the following words addressed to a Chief-Justice, and a going Judge of assize, by the principal law-officer of the Crown :—

"DUBLIN CASTLE, *August* 9.

"I transcribe for you a very sensible part of Lord Ross's* letter to me. 'As, Lord Norbury goes our circuit, and as he is personally acquainted with the

---

* Lord Ross, who advises Mr. Saurin to adopt the course which he so faithfully pursued, was once Sir Laurence Parsons, and was in the habit of speaking in the Irish House of Commons in favor of emancipation. He was not only an orator, but a poet. In the appendix to the first volume of "Wolfe Tone's Memoirs," a poem is inserted, which would have entitled him to the place of Laureate to the United Irishmen. The following are the opening lines :—

"How long, O Slavery! shall thine iron mace
Wave o'er this isle, and crouch its abject race?
Full many a dastard century we've bent
Beneath thy terrors, wretched and content.

"What though with haughty arrogance of pride
England shall o'er this long-duped country stride,
And lay on stripe on stripe, and shame on shame,
And brand to all eternity its name:

"'Tis right, well done, bear all and more, I say,
Nay, ten times more, and then for more still pray!
What state in something would not foremost be?
She strives for fame, thou for servility."

[The present Earl of Rosse, born in 1800, confers a lustre on the title far greater than what he derives from it. His successful devotion to the physical

gentlemen of our county, a hint to him may be of use. He is in the habit of talking individually to them in his chamber at Phillipstown; and if he were to impress on them the consequence of the measure, viz., that however they may think otherwise, the Catholics would, in spite of them, elect Catholic members (if such were eligible), that the Catholic members would then have the nomination of sheriffs, and in many instances, perhaps of the judges; and the Protestants would be put in the back-ground, as the Protestants were formerly; I think he would bring the effect of the measure home to themselves, and satisfy them that they could scarcely submit to live in the country if it were passed.' So far Lord Ross. But what he suggests in another part of his letter, that 'if Protestant gentlemen, who have votes and influence and interest, would give these venal members to understand that if they will purchase Catholic votes by betraying their country and its constitution, they shall infallibly lose theirs; it would alter their conduct, though it could neither make them honest or respectable. If you will *judiciously administer* [*!!*] *a little of this medicine* to the King's County, and other members of Parliament, that may fall in your way, you will deserve well. Many thanks for your letter, and its good intelligence from Maryborough. Jebb is a most valuable fellow, and of the sort that is most wanted.'

"Affectionately and truly yours,

"WILLIAM SAURIN."

When this letter was first disclosed, it was vehemently asserted by Mr. Saurin's friends, that a man of his fame and constitutional principles could not have written it, and they alleged that it was a mere fabrication; but afterward, when the handwriting was perceived to be indisputable, and the author of the letter did not dare to deny its authenticity, Mr. Peel, and the other advocates of Mr. Saurin, contented themselves with exclaiming against the mere impropriety of its production. From this ground of imputation they were, however, effectually driven by Mr. Brougham,† when he called to the Minister's recollection, and especially to that of the Secretary of the Home Department, whom it chiefly concerned, the foul

sciences, especially to optics and astronomy, has given him high place among the knowledge-seekers of the age. In 1849, Lord Rosse was elected President of the Royal Society of England.—M.

† Mr. Brougham laid a trap for Mr. Peel. The writer of this article was told, upon good authority, that he introduced Mr. Saurin's letter into the debate, in order to allure Mr. Peel into a censure of the use which had been made of it. The latter fell into the snare, and the moment he began to inveigh against the production of the letter, Mr. Brougham, who had been intently and impatiently watching him, slapped his knee, and cried, "I have him!"

means adopted to get at evidence against the Queen.* Since that time we have heard no more of the violation of all good feeling in the Catholics, when they availed themselves of a document in the handwriting of an Attorney-General, in order to establish the fact which had been frequently insisted on, that poison had been poured into the highest sources of justice.

The moral indignation of Protestants has subsided, but they have not recovered from their astonishment, that a man so cautious and deliberate as William Saurin, should have put himself in the power of such a person as Lord Norbury, and intrusted him with a communication, which has eventually proved so fatal to himself. He must have known the habits of the man, and it is difficult to conceive how he could look upon the alliance of so singular an individual as of importance to his party, or regard him as likely to produce any impression upon the grand juries to which his loyal exhortations were to be addressed.

The discovery of this letter has been of great prejudice to Mr. Saurin, as it renders it impossible to promote him, with any sort of decency, after such a proceeding; but it was of use to Lord Norbury. When his incompetence in his office was mentioned in Parliament, the Orange faction considered

* The manner which the evidence against Queen Caroline, consort of George IV., was got up by the British Government was illegal. The scale of payment was in a manner regulated by the extent of the evidence given! The more damning the testimony, the greater the reward.—There always has been a popular belief in England (though the fact was denied, as if on authority, by Fox, in Parliament), that George IV. was married, previous to his union with Caroline of Brunswick, to Mrs. Fitzherbert—the lady described as "fat, fair, and forty," when he first met her. It was on this marriage, and the subsequent royal repudiation of the lady, that Moore wrote the Irish Melody, "When first I met thee, warm and young," which Byron was fond of chanting, in his soli tary hours at Venice, where (to use his own words) "like a hunted stag, he had taken to the waters, and there stood at bay."—Queen Caroline had her joke on the *liaison* or marriage (whichever it might be) with Mrs. Fitzherbert, and said, in 1820, "I never was guilty of adultery but once—and that was with Mrs. Fitzherbert's husband!" Another of her hits was her saying, when asked, on her return to England, where she intended to stop in London, "I think I shall take a *chop* at the *King's Head*."—M.

themselves bound by that principle of fidelity to each other, by which, to do them justice, they are characterized to support a very zealous, if not a very respectable partisan; and accordingly Mr. Goulburn, with the effrontery which distinguishes him, pronounced a panegyric upon his judicial excellences, and stated (to the great and just indignation of the other judges of the Common Pleas) that in a difficult and complicated case he had evinced more knowledge and astuteness than any of them. To this encomium, Mr. Peel, with all his manliness, and although he values himself on his reformation of the abuses of justice, gave his sanction. Lord Norbury, finding himself sustained by his party in the House of Commons, turned a deaf ear to all private solicitations, of which his resignation was the object.*

At length Mr. O'Connell presented a petition for his removal, setting forth, among other grounds, that he had fallen asleep during the trial of a murder case, and was unable to give any account of the evidence, when called on for his notes by the Lord Lieutenant. Mr. Scarlett,† to whom the petition was

* When it was determined to give Lord Norbury a hint that it was time to retire, the task — which was one of delicacy, if not of peril — was confided to William Gregory, then under-secretary for Ireland. Norbury got scent of the object of his visit, and, the moment he appeared, locked the door, with a confidential and grave air, and said, "You are one of my best and oldest friends. I was just writing for you to come here, when I heard your voice. I am told that I am to be insulted — that they mean to ask me to resign. The mock-monarch in Phœnix Park is irresponsible, but the hack that he sends shall be his proxy. I'll have his life, or he'll have mine — ay, if he were my brother My old friend Gregory, you will stand by me? Here are the hair-triggers." Here he opened his pistol-case. "Here they are, as ready now as when they blazed at Fitzgerald, and almost frightened Napper Tandy out of his skin. Stay and dine with me, and we'll talk it over."—Peaceable Mr. Gregory declined the invitation, but did *not* perform his mission. That, however, was done by letter from Peel, who was then Home Secretary. The rest of the story, as to the forced resignation, is exactly as Mr. Sheil tells it. Norbury made good terms — two steps in the peerage (he was raised from the dignity of Baron to that of Viscount and Earl), and a pension of four thousand pounds a year. — M.

† James Scarlett, afterward Lord Abinger, was more distinguished as an advocate than a judge. Born in Jamaica, in 1769 (his brother was Chief-Justice of the island), Mr. Scarlett was called to the English Bar, in 1791, closely and patiently studied the law (chiefly making himself acquainted with the mod-

intrusted, did not move upon it, in consequence of a personal assurance from Mr. Peel, that he would do everything in his power to induce him, of his own accord, to retire. For although Mr. Peel ostensibly defended him as a friend and partisan, yet he was, in reality, ashamed of such an incubus upon the bench. Lord Norbury at last went so far as to intimate that he would consult his friends on the subject, and required a reasonable time to do so, which was accordingly granted. After the lapse of a month, Mr. Goulburn called again to know the result of his deliberations, when his lordship stated that Lord Combermere was his most particular friend, and that he had written to him at Calcutta. Mr. Goulburn, finding himself thus evaded, and being conscious that he was as well qualified at eighty-six as he had ever been (for no increased hallucination is perceptible about him), was a good deal at a loss what to do. But suddenly Mr. Canning became lord of the ascendant; and Lord Norbury, who never wanted sagacity, feeling that under the new system he could not expect the support of ministers, wisely came into terms; and having stipulated for an earldom, as a consideration, resigned in favor of Lord Plun-

ern reports), chose the northern circuit, and became distinguished, almost from starting, for his knowledge of law and his dexterous examination of witnesses. In 1816, he was made King's Counsel, and entered Parliament, as a Whig, in 1818. He was not a good debater and did not shine as a senator. His votes were on the liberal side, and he supported the attempts of Romilly and Macintosh to ameliorate the Draconian severity of the criminal code. Under Canning's administration, in 1827, Mr. Scarlett was made Solicitor-General and knighted. He retained office under the Wellington Cabinet—changing his political opinions, much to the damage of his popularity. When Catholic Emancipation was granted, in 1829, he succeeded to the office of Attorney-General, vacated by Sir Charles Wetherell, who was hostile to the measure, and earned additional unpopularity by a crusade against the press. For this, he was introduced into Bulwer's *Paul Clifford*, as "Scarlett Jem, good at a press." When his old friends, the Whigs, came into office in 1830, they cashiered their quondam ally. But, in 1834, under Peel's premiership, Sir James Scarlett was made Chief-Baron of the Exchequer, and raised to the peerage. Latterly, ill health made his temper irritable. He had to preside, in 1841, at the trial of certain Chartists charged with sedition, and exhibited such an angry partisan feeling against them as to cause much public disapprobation, and some parliamentary censure. He died, in 1844, in his seventy-fifth year.—M.

ket, who, like an unskilful aëronaut, has made a bad descent into the Common Pleas.*

Thus had this man, without talent, or knowledge or anything to recommend him, beyond his personal and animal spirit, to the favor of government, raised himself to a high station on the bench, which he enjoyed for seven-and-twenty years; and now, laden with wealth, effects his retreat through a loftier grade in the peerage. He has accumulated an immense fortune, partly from the lucrative offices of which he was so long in the enjoyment, and partly through his rigid economy. I ought not, however, to omit that, parsimonious as his habits are, still they do not prevent him from exercising the best kind of charity, for he is an excellent landlord. In his dealings with his inferiors, too (I gladly avail myself of the opportunity of bestowing on him such praise as he deserves), he is kind and considerate; and toward his domestics is a gentle and forbearing master. In his deportment to the Bar, too, he was undeviatingly polite, and never forgot that he was himself a member of the profession, on which the recollection of every judge should forbid him to trample. In private society, he is a most agreeable, although a very grotesque companion.

He is not wholly destitute of literature; having a great

* John Toler, who died Earl and Baron Norbury and Viscount Glandine (having also obtained a distinct peerage for his wife), was born in 1745, and was the son of a country gentleman in Tipperary. He was called to the Irish bar in 1770; entered Parliament in 1776; obtained a silk gown in 1781; was made Solicitor-General in 1789; succeeded Wolfe as Attorney-General, in 1798, was made Chief-Justice of the Common Pleas in 1800, being created Baron Norbury; retired in 1827, bargaining for two steps in the peerage, and a pension of four thousand pounds sterling a year; and died in July, 1831, aged eighty-six. Perhaps no one ever wore the ermine so wholly unqualified for its dignity and responsibility, as Lord Norbury. So cruel, that he was called "the hanging judge;" so indecorous, that he would jest, even at the expense of the wretch he was dooming to the gallows; so callous, that public reprobation never galled him; so partial, that power, however unjust, might count upon his assistance; so bad a lawyer, that the merest tyro in the profession had often to set him right. Truly was it said, when he died, "Mercy droops not beside his tomb; nor will justice, eloquence, or learning, stretch themselves within it." In a word, among bad men, at a time when oppression and injustice prevailed, one of the very worst was thi wicked judge, Lord Norbury.—M.

memory, he is fond of repeating passages from the older poets, which he recites with propriety and force. Of modern authors he is wholly ignorant, nor is a new book to be found in his library. His study presents, indeed, a curious spectacle. In the centre of the room lies a heap of old papers, covered with dust, mingled with political pamphlets, written some forty years ago, together with an odd volume of the "Irish Parliamentary Debates," recording the speeches of Mr. Sergeant Toler. On the shelves, which are half empty, and exhibit a most "beggarly account," there are some forty moth-eaten law-books; and by their side appear odd volumes of "Peregrine Pickle," and "Roderick Random," with the "Newgate Calendar," complete. A couple of wornout saddles, with rusty stirrups, hang from the top of one of the bookcases, which are enveloped with cobwebs; and a long line of veteran boots of mouldy leather are arrayed on the opposite side of the room. King William's picture stands over the chimney-piece, with prints of Eclipse and other celebrated racers, from which his lordship's politics, and other predilections, may be collected.

He was a remarkably good horseman, and even now always appears well mounted in the streets. A servant, dressed in an ancient livery, rides close beside him; and by his very proximity and care, assists a certain association with loneliness which has begun to attend him. He has, in truth, assumed of late a very dreary and desolate aspect. When he rode to court, as he did every day while a judge, he exhibited, for his time of life, great alacrity and spirit; and as he passed by Mr. Joy, whom he looked upon as his probable successor, putting spurs to his horse, he cantered rapidly along. But now he is without occupation or pursuit, and looks alone in the world. His gayety is gone, and when he stops an old acquaintance in the street to inquire how the world wags, his voice and manner exhibit a certain wandering and oblivion, while his face seems at once dull, melancholy, and abstracted.

Sometimes he rides beyond Dublin, and is to be met in lonely and unfrequented roads, looking as if he was musing over mournful recollections, or approaching to a suspension of

all thought. Not many days ago, on my return to town from a short excursion in the country, as the evening drew on, I saw him riding near a cemetery, while the chill breezes of October were beginning to grow bitter, and the leaves were falling rapidly from the old and withered trees in the adjoining churchyard. The wind had an additional bleakness as it blew over the residences of the dead; and although it imparted to his red and manly cheeks a stronger flush, still, as it stirred his gray locks, it seemed with its wintry murmurs to whisper to the old man a funeral admonition. He appeared, as he urged on his horse and tried to hurry from so dismal a scene, to shrink and huddle himself from the blast. In anticipation of an event, which can not be remote (while I forgot all his political errors, and only remembered how often he had beguiled a tedious hour, and set the Four Courts in a roar), I could not help muttering, as I passed him, with some feeling of regret, "Alas, poor Yorick!"

CLONMEL ASSIZES.

The delineation of the leading members of the Irish bar is not the only object of these sketches. It is my purpose to describe the striking scenes, and to record the remarkable incidents, which fall within my own forensic observation. That these incidents and scenes should take place in our courts of justice, affords a sufficient justification for making the "Sketches of the Irish Bar" the medium of their narration. I might also suggest that the character of the bar itself is more or less influenced by the nature of the business in which it is engaged. The mind of any man who habitually attends the assizes of Clonmel carries deep, and not perhaps the most useful, impressions away from it. How often have I reproached myself with having joined in the boisterous merriment which either the jests of counsel or the droll perjuries of the witnesses have produced during the trial of a capital offence! How often have I seen the bench, the jury, the bar, and the galleries, of an Irish court of justice, in a roar of tumultuous laughter, while I beheld in the dock the wild and haggard face of a wretch who, placed on the verge of eternity, seemed to be surveying the gulf on the brink of which he stood, and presented, in his ghastly aspect and motionless demeanor, a reproof of the spirit of hilarity with which he was to be sent before his God!

It is not that there is any kind of cruelty intermixed with this tendency to mirth; but that the perpetual recurrence of incidents of the most awful character divests them of the power of producing effect, and that they—

> "Whose fell of hair
> Would at a dismal treatise rouse and stir
> As life were in 't"—

acquire such a familiarity with direness, that they become not only insensible to the dreadful nature of the spectacles which are presented, but scarcely conscious of them. But it is not merely because the bar itself is under the operation of the incidents which furnish the materials of their professional occupation that I have selected the last assizes at Clonmel as the subject of this article. The extensive circulation of this periodical work affords the opportunity of putting the English public in possession of many illustrative facts; and in narrating the events which attended the murder of Daniel Mara, and the trial of his assassins, I propose to myself the useful end of fixing the general attention upon a state of things which ought to lead all wise and good men to the consideration of the only effectual means by which the evils which result from the moral condition of the country may be remedied.*

In the month of April, 1827, a gentleman of the name of Chadwick was murdered in the open day, at a place called Rath Cannon, in the immediate vicinity of the old Abbey of Holycross. Mr. Chadwick was the member of an influential family, and was employed as land-agent in collecting their rents. The person who fills this office in England is called "a steward;" but in Ireland it is designated by the more honorable name of a land-agency. The discharge of the duties of this situation must be always more or less obnoxious. In times of public distress, the landlord, who is himself urged by his own creditors, urges his agent on, and the latter inflicts upon the tenants the necessities of his employer.

I have heard that Mr. Chadwick was not peculiarly rigorous in the exaction of rent, but he was singularly injudicious in his demeanor toward the lower orders. He believed that they detested him; and, possessing personal courage, bade them defiance. He was not a man of a bad heart; but was despotic and contumelious in his manners to those whose hatred he returned with contempt. It is said that he used to stand among a body of the peasantry, and, observing that his corpulency was on the increase, was accustomed to exclaim, "I think I am fattening upon your curses!" In answer to these taunts

* This sketch was published in July, 1828.—M.

the peasants who surrounded him, and who were well habituated to the concealment of their fierce and terrible passions, affected to laugh, and said that "his honor was mighty pleasant; and sure his honor, God bless him, was always fond of his joke!" But while they indulged in the sycophancy under which they are wont to smother their sanguinary detestations, they were lying in wait for the occasion of revenge. Perhaps, however, they would not have proceeded to the extremities to which they had recourse, but for a determination evinced by Mr. Chadwick to take effectual means for keeping them in awe He set about building a police-barrack at Rath Cannon. It was resolved that Mr. Chadwick should die.

This decision was not the result of individual vengeance. The wide confederacy into which the lower orders are organized in Tipperary held council upon him, and the village areopagus pronounced his sentence. It remained to find an executioner.

Patrick Grace, who was almost a boy, but was distinguished by various feats of guilty courage, offered himself as a volunteer in what was regarded by him as an honorable cause. He had set up in the county as a sort of knight-errant against landlords; and, in the spirit of a barbarous chivalry, proffered his gratuitous services wherever what he conceived to be a wrong was to be redressed. He proceeded to Rath Cannon; and, without adopting any sort of precaution, and while the public road was traversed by numerous passengers, in the broad daylight, and just beside the barrack, in the construction of which Mr. Chadwick was engaged, shot that unfortunate gentleman, who fell instantly dead.

This dreadful crime produced a great sensation, not only in the county where it was perpetrated, but through the whole of Ireland. When it was announced in Dublin, it created a sort of dismay, as it evinced the spirit of atrocious intrepidity to which the peasantry had been roused. It was justly accounted, by those who looked upon this savage assassination with most horror, as furnishing evidence of the moral condition of the people, and as intimating the consequences which might be anticipated from the ferocity of the peasantry, if ever they

should be let loose. Patrick Grace calculated on impunity; but his confidence in the power and terrors of the confederacy with which he was associated was mistaken. A brave, and a religious man, whose name was Philip Mara, was present at the murder. He was standing beside his employer, Mr. Chadwick, and saw Grace put him deliberately to death. Grace was well aware that Mara had seen him, but did not believe that he would dare to give evidence against him. It is probable, too, that he conjectured that Mara coincided with him in his ethics of assassination, and applauded the proceeding. Mara, however, who was a moral and virtuous man, was horror-struck by what he had beheld; and, under the influence of conscientious feelings, gave immediate information to a magistrate. Patrick Grace was arrested, and tried at the summer assizes of 1827.

I was not present at his trial, but have heard from good authority that he displayed a fearless demeanor; and that when he was convicted upon the evidence of Philip Mara, he declared that before a year should go by he should have vengeance in the grave. He was ordered to be executed near the spot where his misdeed had been perpetrated. This was a signal mistake, and produced an effect exactly the reverse of what was contemplated. The lower orders looked upon him as a martyr; and his deportment, personal beauty, and undaunted courage, rendered him an object of deep interest and sympathy upon the scaffold. He was attended by a body of troops to the old Abbey of Holycross, where not less than fifteen thousand people assembled to behold him.

The site of the execution rendered the spectacle a most striking one. The Abbey of Holycross is the finest and most venerable monastic ruin in Ireland. Most travellers turn from their way to survey it, and leave it with a deep impression of its solemnity and grandeur. A vast multitude was assembled round the scaffold. The prisoner was brought forward in the midst of the profound silence of the people. He ascended and surveyed them; and looked upon the ruins of the edifice which had once been dedicated to the worship of his religion, and to the sepulchres of the dead which were strewed among its aisles.

and had been for ages as he was in a few minutes about to be. It was not known whether he would call for vengeance from his survivors, or for mercy from Heaven. His kindred, his close friends, his early companions, all that he loved, and all to whom he was dear, were around him, and nothing, except a universal sob from his female relatives, disturbed the awful taciturnity that prevailed. At the side of Patrick Grace stood the priest — the mild admonitor of the heart, the soother of affliction, and the preceptor of forgiveness — who attended him in the last office of humanity, and who proved by the result how well he had performed it.

To the disappointment of the people, Patrick Grace expressed himself profoundly contrite; and, although he evinced no fear of death, at the instance of the Roman Catholic clergyman who attended him, implored the people to take warning by his example. In a few moments after, he left existence. But the effect of his execution will be estimated by this remarkable incident. His gloves were handed by one of his relations to an old man of the name of John Russel, as a keepsake. Russel drew them on, and declared at the same time that he should wear them "till Paddy Grace was revenged;" and revenged he soon afterward was, within the time which he had himself prescribed for retribution, and in a manner which is as much calculated to excite astonishment at the strangeness, as detestation for the atrocity of the crime, of which I proceed to narrate the details.

Philip Mara was removed by Government from the country. It was perfectly obvious that, if he had continued to sojourn in Tipperary, his life would have been taken speedily, and at all hazards, away. It was decided that all his kindred should be exterminated. He had three brothers; and the bare consanguinity with a traitor (for his crime was treason) was regarded as a sufficient offence to justify their immolation. If they could not procure his own blood for the purposes of sacrifice, it was however something to make libation of that which flowed from the same source. The crimes of the Irish are derived from the same origin as their virtues. They have powerful domestic attachments. Their love and devotion to their

kindred instruct them in the worst expedients of atrocity. Knowing the affection which Mara had for his brothers, they found the way to his heart in the kindest instincts of humanity; and, from the consciousness of the pain which the murder of "his mother's children" would inflict, determined that he should endure it.

It must be owned that there is a dreadful policy in this system. The Government may withdraw their witnesses from the country, and afford them protection; but their wives, their offspring, their parents, their brothers, sisters, nay their remotest relatives, can not be secure, and the vengeance of the ferocious peasantry, if defrauded of its more immediate and natural object, will satiate itself with some other victim. It was in conformity with these atrocious principles of revenge that the murder of the brothers of Philip Mara was resolved upon. Strange to tell, the whole body of the peasantry in the neighborhood of Rath Cannon, and far beyond it, entered into a league, for the perpetration of this abominable crime; and while the individuals who were marked out for massacre were unconscious of what was going forward, scarcely a man, woman, or child, looked them in the face who did not know that they were marked out for death.

They were masons by trade, and were employed in building the barrack at Rath Cannon, on the spot where Chadwick had been assassinated, and where the funeral of Patrick Grace (for so his execution was called) had been performed. The peasantry looked in all probability with an evil eye upon every man who had put his hand to this obnoxious work; but their main object was the extermination of Philip Mara's brothers. They were three in number—Daniel, Laurence, and Timothy. On the first of October they were at work, with an apprentice in the mason trade, at the barrack at Rath Cannon. The name of this apprentice was Hickey. In the evening, about five o'clock, they left off their work, and were returning homeward, when eight men with arms rushed upon them. They were fired at; but the firearms of the assassins were in such bad condition, that the discharge of their rude musketry had no effect. Laurence, Timothy, and the apprentice, fled in different direc-

tions, and escaped. Daniel Mara lost his presence of mind, and instead of taking the same route as the others, ran into the house of a poor widow. He was pursued by the murderers. one of whom got in by a small window, while the others burst through the door, and with circumstances of great savageness put him to death.

The intelligence of this event produced a still greater sensation than the murder of Chadwick; and was as much the subject of comment as some great political incident, fraught with national consequences, in the metropolis. The Government lost no time in issuing proclamations, offering a reward of two thousand pounds sterling for information which should bring the assassins to justice. The magnitude of the sum induced the hope that its temptation would be found irresistible to poverty and destitution so great as that which prevails among the class of ordinary malefactors. It was well known that hundreds had cognizance of the offence; and it was concluded that, among so numerous a body, the tender of so large a reward could not fail to offer an effectual allurement. Weeks, however, passed over without the communication of intelligence of any kind. Several persons were arrested on suspicion, but were afterward discharged, as no more than mere conjecture could be adduced against them.

Mr. Doherty, the Solicitor-General, proceeded to the county of Tipperary, in order to investigate the transaction; but for a considerable time all his scrutiny was without avail. At length, however, an individual of the name of Thomas Fitzgerald was committed to jail upon a charge of highway robbery, and, in order to save his life, furnished evidence upon which the Government was enabled to pierce into the mysteries of delinquency. The moment Fitzgerald unsealed his lips, a numerous horde of malefactors were taken up, and further revealments were made under the influence which the love of life, and not of money, exercised over their minds. The assizes came on; and on Monday, the 31st of March [1828], Patrick Lacy and John Walsh were placed at the bar, and to the indictment for the murder of Daniel Mara pleaded not guilty.

The Court presented a very imposing spectacle. The whole

body of the gentry of Tipperary were assembled in order to witness a trial on which the security of life and property was to depend. The box which is devoted to the grand-jury was thronged with the aristocracy of the county, who manifested an anxiety far stronger than the trial of an ordinary culprit is accustomed to produce. An immense crowd of the peasantry was gathered round the dock. All appeared to feel a deep interest in what was to take place, but it was easy to perceive in the diversity of solicitude which was expressed upon their faces, the degrees of sympathy which connected them with the prisoners at the bar. The more immediate kindred of the malefactors were distinguishable, by their profound but still emotion, from those who were engaged in the same extensive organization, and were actuated by a selfish sense that their personal interests were at stake, without having their more tender affections involved in the result.

But besides the relatives and confederates of the prisoners, there was a third class among the spectators, in which another shade of sympathy was observable. These were the mass of the peasantry, who had no direct concern with the transaction, but whose principles and habits made them well-wishers to the men who had put their lives in peril for what was regarded as the common cause. Through the crowd were dispersed a number of policemen, whose green regimentals, high caps, and glittering bayonets, made them conspicuous, and brought them into contrast with the peasants by whom they were surrounded. On the table stood the governor of the jail, with his ponderous keys, which designated his office, and presented to the mind associations which aided the effect of the scene.

Mr. Justice Moore appeared in his red robes lined with black, and intimated by his aspect that he anticipated the discharge of a dreadful duty. Beside him was placed the Earl of Kingston,* who had come from the neighboring county of Cork to

* Mr. Sheil's description of the late Earl of Kingston is very accurate, but words can not paint the brutality of this man's appearance. When I was a lad, I often saw him, as he was Chairman of the Magistrates at the Sessions, in Fermoy, where I was educated—one schoolmate being Francis Hincks, now of Canada, and the schoolmaster being Dr. Hincks, his father. The Ear

witness the trial, and whose great possessions gave him a peculiar concern in tracing to their sources the disturbances which had already a formidable character, and intimated still more

of Kingston was an immense man, bulky and burly, with his features almost hidden in a mass of dark whiskers, and his deep-set eyes glaring beneath shaggy, black eyebrows, and a forehead "villanous low." His voice, that all might be *en suite*, was at once deep and loud. I never saw a man who had a more brutal appearance. He took large quantities of snuff, which he carried loose in a waistcoat-pocket lined with tin, and his method was to take small handfuls of it, throw part of it up into his immense nostrils, and fling away the remainder over his left shoulder—the consequence of which was, that nobody who knew him would sit upon that side. When he was a young man, he held a commission in the North Cork Militia—a corps of Orangemen, who committed fearful barbarities in the fatal 1798, and used to amuse themselves, when they did shoot or bayonet a suspected "rebel," with setting fire to his house, filling a brown paper cone with hot pitch, thrusting it upon his shorn head, and enjoying the "fun" of seeing him writhe under the torture, and laughing at him as the hot fluid ran down his face and breast. The "rebels" made a prisoner of Lord Kingston, and his life was very much in danger—for he was well known, and much hated. They employed him, however, to make terms for them with the Royalists, and he was allowed to depart, on his solemn promise to perform their wish. The moment he reached his friends, he made use of the information as to the strength of the "rebels," which he had picked up, while a captive, utterly betrayed the trust reposed in him, and broke his plighted word of honor, by setting on his soldiers to massacre the trusting foe. The populace, who recollected this, constantly predicted a violent death to this man brute. They rejoiced when the news reached them, in October, 1839, that the Earl of Kingston, after some years' dreadful sufferings, had miserably died, in London, of *morbus pediculosus*—the dreadful disease by which King Herod perished in his pride. He erected the Castle of Mitchelstown as a residence; and I recollect that the men, who quarried the limestone of which it is built, were paid only eight cents a day for twelve hours' work. A very different man was his eldest son, the Viscount Kingsborough, author of that magnificent work, "The Antiquities of Mexico." Born in 1795, he represented his native county (Cork), in the Parliament of 1820–'26. Thenceforth, he devoted himself to literary and antiquarian researches. In 1831, was published his great work on Mexico, in six folio volumes, got up at a cost of many thousand pounds. The illustrations consisted of fac-simile engravings from drawings and MSS., in the royal libraries of Paris, Dresden, and Berlin; the imperial library of Vienna; the library of the Vatican; the Borgean Museum; the library of the Institute at Bologna; the collections of Laud and Selden in the Bodleian, at Oxford. Four copies of this work—the largest ever published by an author, on his own account—were printed upon vellum; of these he presented one to the Bodleian library, and another to the British Museum. The price of an ordinary copy was a hundred and eighty guineas. The work

terrible results. His dark and massive countenance, with a shaggy and wild profusion of hair, his bold, imperious lip, and large and deeply-set eye, and his huge and vigorous frame, rendered him a remarkable object, without reference to his high rank and station, and to the political part which he had played in circumstances of which it is not impossible that he may witness, although he should desire to avert, the return.

The prisoners at the bar stood composed and firm. Lacy, the youngest, was dressed with extreme care and neatness. He was a tall, handsome young man, with a soft and healthful color, and a bright and tranquil eye. I was struck by the unusual whiteness of his hands, which were loosely attached to each other. Walsh, his fellow-prisoner and his brother in crime, was a stout, short, and square-built man, with a sturdy look, in which there was more fierceness than in Lacy's countenance; yet the latter was a far more guilty malefactor, and had been engaged in numerous achievements of the same kind, whereas Walsh bore an excellent reputation, and obtained from his landlord, Mr. Creagh, the highest testimony to his character.

The Solicitor-General, Mr. Doherty, rose to state the case. He appeared more deeply impressed than I have ever seen any public officer, with the responsibility which had devolved upon him; and, by his solemn and emphatic manner, rendered a narration, which was pregnant with awful facts, so impressive, that, during a speech of several hours' continuance, he kept attention upon the watch, and scarcely a noise was heard, except when some piece of evidence was announced which surprised the prisoners, and made them give a slight start, in which their astonishment and alarm at the extent of the information of the Government were expressed.*

can not be obtained now, it is so scarce, but a copy is in the Astor Library, New York. — Viscount Kingsborough was unfortunately induced to become security for debts incurred by his father, and that worthy actually allowed him to become an inmate of the Sheriff's Prison, in Dublin, where he died, of typhus fever, on the 27th of February, 1837, aged forty-two.—M.

* The speech of Mr. Doherty was highly eloquent. He took occasion to describe the general condition of the county in language equally simple, powerful, and true. To the causes of that condition he did not advert, for it did

They preserved their composure while Mr. Doherty was detailing the evidence of Fitzgerald, for they well knew that he had become what is technically called "a stag," and turned informer. Neither were they greatly moved at learning that another traitor of the name of Ryan was to be produced, for rumors had gone abroad that he was to corroborate Fitzgerald. They were well aware that the jury would require more evidence than the coincidence of swearing between two accomplices could supply. It is, indeed, held that one accomplice can sustain another for the purposes of conviction, and that their concurrence is sufficient to warrant a verdict of guilty; still juries are in the habit of demanding some better foundation for their findings, and, before they take life away, exact a confirmation from some pure and unquestionable source.

The counsel for the prisoners participated with them in the belief that the Crown would not be able to produce any witnesses except accomplices, and listened, therefore, to the details of the murder of Daniel Mara, however minute, without much apprehension for their clients, until Mr. Doherty, turning toward the dock, and lifting up and shaking his hand, pronounced the name of "Kate Costello." It smote the prisoners with dismay! At the time, however, that Mr. Doherty made

not fall within his official province to do so; but he has since, in the House of Commons, pointed out what he conceived to be the real sources of these deplorable evils. I regret that Mr. Doherty did not take the pains to publish his speeches at Clonmel. Justice has not been done to the diction in the newspapers in which they were reported. The publication of those speeches in an authentic form would not only evince the talents of the able advocate by whom they were delivered, but would also have the effect of showing, in a striking view, the unfairness of not allowing the counsel for the prisoners to speak, while the Crown enlists all the power of rhetoric against them. The fault is not with Mr. Doherty, but in the system. "Aperi os tuum muto, et vindica inopem," is written in golden letters in the Court. The law, instead of vindicating the poor man, shuts his counsel's mouth. I have seen many cases where a powerful speech might have saved a prisoner's life. A good appeal to the Jury would have preserved two of the men who were convicted of the murder of Barry, at Clonmel. It is said that Judges would not have time to go through the trials, if counsel for the prisoners were allowed to speak. In other words, they would be delayed from their vacation villas upon circuit. What an excuse [The law has been changed since this was written, and counsel are allowed to *all* prisoners. — M.]

this announcement, he was himself uncertain, I believe, whether Kate Costello would consent to give the necessary evidence; and there was reason to calculate upon her reluctance to make any disclosure by which the lives of "her people," as the lower orders call their kindred, should be affected.

The statement of Mr. Doherty, which was afterward fully made out in proof, showed that a wide conspiracy had been framed in order to murder Philip Mara's brothers. Fitzgerald and Lacy, who did not reside in the neighborhood of Rath Cannon, were sent for by the relatives of Patrick Grace, as it was well known that they were ready for the undertaking of "the job." They received their instructions, and were joined by other assassins. The band proceeded to Rath Cannon, in order to execute their purpose, but an accident prevented their victims from coming to the place where they were expected, and the assassination was, in consequence, adjourned for another week. In the interval, however, they did not relent; but, on the contrary, a new supply of murderers was collected, and on Sunday, the 30th day of September [1828], the day preceding the murder, they met again in the house of a farmer, of the name of Jack Keogh, who lived beside the barrack where the Maras were at work. Here they were attended by Kate Costello, the fatal witness, by whom their destiny was to be sealed.

On the morning of Monday, the 1st of October, they proceeded to an elevation called "The Grove," a hill covered with trees, in which arms had been deposited. This hill overlooked the barrack where the Maras were at work. A party of conspirators joined the chief assassins on this spot, and Kate Costello, a servant and near relative of the Keoghs (who were engaged in the murder), again attended them. She brought them food and spirits. From this ambush they remained watching their prey until five o'clock in the afternoon, when it was announced that the Maras were coming down from the scaffolding on which they were raising the barrack. It appeared that some murderers did not know the persons whose lives they were to take away, and that their dress was mentioned as the means of recognition. They advanced to the number

of eight, and, as I have already intimated, succeeded in slaying one only of the three brothers.

But the most illustrative incident in the whole transaction was not what took place at the murder, but a circumstance which immediately succeeded it. The assassins, with their hands red with the gore of man, proceeded to the house of a farmer in good circumstances, whose name was John Russel. He was a man of a decent aspect and demeanor, above the lower class of peasants in station and habits, was not destitute of education, spoke and reasoned well, and was accounted very orderly and well conducted. One would suppose that he would have closed his doors against the wretches who were still reeking with their crime. He gave them welcome, tendered them his hospitality, and provided them with food. In the room where they were received by this hoary delinquent, there were two individuals of a very different character and aspect from each other. The one was a girl, Mary Russel, the daughter of old Jack Russel, the proprietor of the house. She was young, and of an exceedingly interesting appearance; her manners were greatly superior to persons of her class, and she was delicate and gentle in her habitual conduct and demeanor. Near her there sat an old woman, in the most advanced stage of life, who was a kind of Elspeth among them, and from her age and relationship was an object of respect and regard. The moment the assassins entered, Mary Russel rushed up to them, and, with a vehement earnestness, exclaimed, "Did you do any good?" They stated in reply that one of the Maras was shot; when Peg Russel (the withered hag), who sat moping in the revery of old age, till her attention was aroused by the sanguinary intelligence, lifted her shrivelled hand, and cried out with a shrill and vehement bitterness, "You might as well not have killed any, since you did not kill them all!"

Strange and dreadful condition of Ireland! The witness to a murder denounces it. He flies the country. His brothers, for his crime, are doomed to die. The whole population confederate in their death. For weeks the conspiracy is planned, and no relenting spirit interposes in their slaughterous deliberations. The appointed day arrives, and the murder of an inno-

cent man is effected, while the light is still shining, and with the eye of man, which is as little feared as that of God, upon them. The murderers leave the spot where their fellow-crea ture lies weltering; and, instead of being regarded as objects of execration and of horror, are chid by women for their remissness in the work of death, and for the scantiness of the blood which they had poured out! Thus it is that in this unfortunate country not only men are made barbarous, but women are unsexed, and filled—

> ——— "from the crown to the toe, top-full
> Of direst cruelty!"

These were the facts which Mr. Doherty stated, and they were established by the evidence. The first witness was Fitzgerald. When he was called, he did not appear on the instant, for he was kept in a room adjoining the Court, in order that he might not avail himself of the statement, and fit his evidence to it. His testimony was of such importance, and it was known that so much depended upon it, that his arrival was waited for with strong expectation; and, in the interval before his appearance on the table, the mind had leisure to form some conjectural picture of what he in all likelihood was. I imagined that he must be some fierce-looking, savage wretch, with baseness and perfidy, intermingled with atrocity, in his brow, and whose meanness would bespeak the informer, as his ferocity would proclaim the assassin. I was deceived.

His coming was announced—way was made for him—and I saw leap upon the table, with an air of easy indifference and manly familiarity, a tall, athletic young man, about two or three and twenty, with a countenance as intelligent in expression and symmetrical in feature, as his limbs were vigorous and well-proportioned. His head was perfectly shaped, and surmounted a neck of singular strength and breadth, which lay open and rose out of a chest of unusual massiveness and dilation. His eyes were of deep and brilliant black, full of fire and energy, intermixed with an expression of slyness and sagacity. They had a peculiarly-watchful look, and indicated a vehemence of character, checked and tempered by a cautious

and observant spirit. The nose was well formed and deeply rooted, but rose at the end with some suddenness, which took off from the dignity of the countenance, but displayed considerable breadth about the nostrils, which were made to breathe fierceness and disdain. The mouth of the villain (for he was one of the first magnitude) was composed of thick but well-shaped lips, in which firmness and intrepidity were strongly marked; and, when opened, disclosed a range of teeth of the finest form and color. His hair was short and thick, but his cheek was so fresh and fair, that he scarcely seemed to have ever had any beard.

The fellow's dress was calculated to set off his figure. It left his breast almost bare, and, the knees of his breeches being open, a great part of his muscular legs appeared without covering, as his stockings did not reach to the knee. He was placed upon the chair appropriated to witnesses, and turned at once to the counsel for the Crown in order to narrate his own doings as well as those of his associates in depravity. I have never seen a cooler, more precise, methodical, and consistent witness.

He detailed every circumstance to the minutest point, which had happened during a month's time, with a wonderful accuracy. So far from manifesting any anxiety to conceal or to excuse his own guilt, he on the contrary set it forth in the blackest colors. He made himself a prominent actor in the business of blood. The life which he led was as singular as it was atrocious. He spent his time in committing outrages at night, and during the day in exacting homage from the peasantry, whom he had inspired with a deep dread of him. He walked through the county in arms, and compelled every peasant to give him bed and board wherever he appeared. In the caprices of his tyranny, he would make persons who chanced to pass him, kneel down and offer him reverence, while he presented his musket at their heads. Yet he was a favorite with the populace, who pardoned the outrages committed on themselves, on account of his readiness to avenge the affronts or the injuries which they suffered from others. Villain as the fellow was, it was not the reward which tempted

him to betray his associates. Though two thousand pounds sterling had been offered by Government, he gave no information for several months; and when he did give it, it was to save his life, which he had forfeited by a highway robbery, for which he had been arrested. He seemed exceedingly anxious to impress upon the crowd that, though he was "a stag," it was not for gold that he had sold the cause. Life itself was the only bribe that could move his honor, and even the temptation which the instinctive passion for existence held out to him was for a long while resisted.

Mr. Hatchell cross-examined this formidable attestator with extraordinary skill and dexterity, but he was still unable to shake his evidence. It was perfectly consistent and compact, smooth and round, without any point of discrepancy on which the most dexterous practitioner could lay a strong hold. The most unfavorable circumstance to his cross-examiner was his openness and candor. He had an ingenuousness in his atrocity which defied all the ordinary expedients of counsel. Most informers allege that they are influenced by the pure love of justice to betray their accomplices. This statement goes to shake their credit, because they are manifestly perjured in the declaration. Fitzgerald, however, took a very different course. He disclaimed all interest in the cause of justice, and repeatedly stated that he would not have informed, except to rescue himself from the halter which was fastened round his neck. When he left the table, he impressed every man who heard him with a conviction of, not only his great criminality but his extraordinary talents.

He was followed by another accomplice, of the name of Ryan, who was less remarkable than Fitzgerald, but whose statement was equally consistent, and its parts as adhesive to each other, as the more important informers. They had been left in separate jails, and had not had any communication, so that it could not be suggested that their evidence was the result of a comparison of notes, and of a conspiracy against the prisoners. This Ryan also alleged that he had informed merely to save his life.

These witnesses were succeeded by several, who deposed to

minute incidents which went to corroborate the informers; but notwithstanding that a strong case had been made out by the Crown, still the testimony of some untainted witness to the leading fact was requisite, and the counsel for the prosecution felt that on Kate Costello the conviction must still depend. She had not taken any participation in the murder. She could not be regarded as a member of the conspiracy; she was a servant in the house of old John Keogh, but not an agent in the business; and if she confirmed what the witnesses had deposed to, it was obvious that a conviction would ensue; while, upon the other hand, if she was not brought forward, the want of her testimony would produce a directly opposite result.

She was called, and a suspense far deeper than the expectation which had preceded the evidence of Fitzgerald was apparent in every face. She did not come, and was again summoned into court. Still Kate Costello did not appear. Repeated requisitions were sent by the Solicitor-General, but without effect. At length, every one began to conjecture that she would disappoint and foil the Crown, and the friends of the prisoners murmured that "Kate Costello would not turn against her people." An obvious feeling of satisfaction pervaded the crowd, and the prisoners exhibited a proportionate solicitude, in which hope seemed to predominate.

Suddenly, however, the chamber-door communicating with the room where the witnesses were kept was opened, and one of the most extraordinary figures that ever appeared in that strange theatre, an Irish court of justice, was produced. A withered, diminutive woman, who was unable to support herself, and whose feet gave way at every step, into which she was impelled by her attendants, was seen entering the court, and tottering toward the table. Her face was covered, and it was impossible, for some time after she had been placed on the table, to trace her features; but her hands, which were as white and clammy as a corpse's, and seemed to have undergone the first process of decomposition, shook and shuddered, and a thrill ran through the whole of her miserable and wornout frame. A few minutes elapsed before her veil was removed; and, when it was, the most ghastly face which I have ever observed was

disclosed! Her eyes were quite closed, and the eyelids shrunken as if by the touch of death. The lips were like ashes, and remained open and without movement. Her breathing was scarcely perceptible, and, as her head lay on her shoulder, her long black hair fell dishevelled, and added to the general character of disordered horror which was expressed in her demeanor.

Now that she was produced, she seemed little calculated to be of any use. Mr. Doherty repeatedly addressed himself to her, and entreated her to answer. She seemed unconscious even of the sound of his voice. At length, however, with the aid of water, which was applied to her mouth, and thrown in repeated aspersions over her face, she was in some degree restored, and was able to breathe a few words. An interval of minutes elapsed between every question and answer. Her voice was so low as to be scarcely audible, and was rather an inarticulate whisper than the utterance of any connected sentence. She was, with a great deal to do, conducted by the examiner through some of the preliminary incidents, and at last was brought to the scene in the grove where the murderers were assembled.

It remained that she should recognise the prisoners. Unless this were done, nothing would have been accomplished. The rod with which culprits are identified was put into her hand, and she was desired to stand up, to turn to the dock, and to declare whether she saw in court any of the men whom she had seen in the grove on the day of the murder. For a considerable time she could not be got to rise from her seat; and when she did, and stood up after a great effort over herself, before she had turned round, but while the rod was trembling in her hand, another extraordinary incident took place.

Walsh, one of the prisoners at the bar, cried out with the most vehement gesture—"O God! you are going to murder me! I'll not stand here to be murdered, for I'm downright murdered, God help me!" This cry, uttered by a man almost frenzied with excitation, drew the attention of the whole court to the prisoner; and the Judge inquired of him of what he complained. Walsh then stated, with more composure, that it

was unfair, while there was nobody in the dock but Lacy and himself, to desire Kate Costello to look at him, for that he was marked out to her where he stood. This was a very just observation, and Judge Moore immediately ordered that other prisoners should be brought from the jail into the dock, and that Walsh should be shown to Kate Costello in the midst of a crowd.

The jail was at a considerable distance, and a good deal of time was consumed in complying with the directions of the Judge. Kate Costello sank down again upon her chair; and, in the interval before the arrival of the other prisoners, we engaged in conjectures as to the likelihood of Walsh being identified. She had never seen him, except at the grove, and it was possible that she might not remember him. In that event his life was safe. At last the other prisoners were introduced into the dock. The sound of their fetters as they entered the court, and the grounding of the soldiers' muskets on the pavement, struck me.

It was now four o'clock in the morning; the candles were almost wasted to their sockets, and a dim and uncertain light was diffused through the court. Haggardness sat upon the spectators, and yet no weariness or exhaustion appeared. The frightful interest of the scene preserved the mind from fatigue. The dock was crowded with malefactors, and, brought as they were in order that guilt of all kinds should be confused and blended, they exhibited a most singular spectacle. This assemblage of human beings laden with chains was, perhaps, more melancholy from the contrast which they presented between their condition and their aspect. Even the pale light which glimmered through the court did not prevent their cheeks from looking ruddy and healthful. They had been awakened in their lonely cells in order to be produced, and, as they were not aware of the object of arraying them together, there was some surprise mixed with fear in their looks. I could not help whispering to myself as I surveyed them, "What a noble and fine race of men are here, and how much have they to answer for, who, by degrading, have demoralized such a people!"

The desire of Walsh having been complied with, the witness

was called upon a second time to place the rod upon his head. She rose again, and turned round, holding the fatal index in her hand. There was a deep silence through the court; the face of Walsh exhibited the most intense anxiety, as the eyes of Kate Costello rested upon the place where he stood. She appeared at first not to recognise him, and the rod hung loosely in her hand. I thought, as I saw her eyes traversing the assemblage of malefactors, that she either did not know him, or would affect not to remember him. At last, however, she raised the rod, and stretched it forth; but, before it was laid on the devoted head, a female voice exclaimed, "Oh, Kate!" This cry, which issued from the crowd, and was probably the exclamation of some relative of the Keoghs, whose destiny depended on that of Walsh, thrilled the witness to the core. She felt the adjuration in the very recesses of her being.

After a shudder, she collected herself again, and advanced again toward the dock. She raised the rod a second time, and, having laid it on the head of Walsh, who gave himself up as lost the moment it touched him, she sank back into her chair. The feeling which had filled the heart of every spectator here found a vent, and a deep murmur was heard through the whole court, mingled with sounds of stifled execration from the mass of the people in the background. Lacy also was identified; and here it may be said that the trial closed. Walsh, who, while he entertained any hope, had been almost convulsed with agitation, resumed his original composure. He took no further interest in the proceeding, except when his landlord gave him a high character for integrity and good conduct; and this commendation he seemed rather to consider as a sort of bequest which he should leave to his kindred, than as the means of saving his life. It is almost unnecessary to add that the prisoners were found guilty.

Kate Costello, whose evidence was of such importance to the Crown, had acted as a species of menial in the house of old John Keogh, but was a near relation of her master. It is not uncommon among the lower orders to introduce some dependent relative into the family, who goes through offices of utility which are quite free from degradation, and is at the same time

treated, to a great extent, as an equal. Kate Costello sat down with old Jack Keogh and his sons at their meals, and was accounted one of themselves. The most implicit trust was placed in her; and on one of the assassins observing that "Kate Costello could hang them all," another observed that "there was no fear of Kate." Nor would Kate ever have betrayed the men who had placed their confidence in her, from any mercenary motives. Fitzgerald had stated that she had been at "the Grove" in the morning of the day on which the murder was committed, and that she could confirm his testimony. She was in consequence arrested, and was told that she should be hanged unless she disclosed the truth. Terror extorted from her the revealments which were turned to such account. When examined as a witness on the trial of Lacy and Walsh, her agitation did not arise from any regard for them, but from her consciousness that if they were convicted her own relatives and benefactors must share in their fate.

The trial of Patrick and John Keogh came on upon Saturday, the 5th of April, some days after the conviction of Lacy and of Walsh, who had been executed in the interval. The trial of the Keoghs had been postponed at the instance of the prisoners, but it was understood that the Crown had no objection to the delay, as great difficulty was supposed to have arisen in persuading Kate Costello to give completion to the useful work in which she had been engaged. It was said that the friends of the Keoghs had got access to her, and that she had refused to come forward against "her people." It was also rumored that she had entertained an attachment for John Keogh, and although he had wronged her, and she had suffered severe detriment from their criminal connection, that she loved him still, and would not take his life away. There was, therefore, enough of doubt incidental to the trial of the Keoghs to give it the interest of uncertainty; and, however fatal the omen which the conviction of their brother-conspirators held out, still it was supposed that Kate Costello would recoil from her terrible task.

The court was as much crowded as it had been on the first trial, upon the morning on which the two Keoghs were put at

the bar. They were more immediate agents in the assassination. It had been in a great measure planned, as well as executed by them; and there was a further circumstance of aggravation in their having been in habits of intimacy with the deceased. When placed at the bar, their appearance struck every spectator as in strange anomaly with their misdeeds. They both seemed to be farmers of the most respectable class. Patrick, the younger, was perfectly well clad. He had a blue coat and white waistcoat, of the best materials used by the peasantry: a black silk-handkerchief was carefully knotted on his neck. He was lower in stature and of less athletic proportions than his brother John, but had a more determined and resolute physiognomy. He looked alert, quick, and active. The other was of gigantic stature, and of immense width of shoulder and strength of limb. He rose beyond every man in court, and towered in the dock. His dress was not as neatly arranged as his brother's, and his neck was without covering, which served to exhibit the hugeness of his proportions. He looked in the vigor of powerful manhood. His face was ruddy and blooming, and was quite destitute of all darkness and malevolence of expression. There was perhaps too much fullness about the lips, and some traces of savageness as well as of voluptuousness might have been detected by a minute physiognomist in their exuberance; but the bright blue of his mild and intelligent eyes counterbalanced this evil indication.

The aspect of these two young men was greatly calculated to excite interest; but there was another object in court which was even more deserving of attention. On the left hand of his two sons, and just near the youngest of them, sat an old man, whose head was covered with a profusion of gray hairs, and who, although evidently greatly advanced in years, was of a hale and healthful aspect. I did not notice him at first, but in the course of the trial, the glare which his eye gradually acquired, and the passing of all color from his cheek, as the fate of his sons grew to certainty, drew my observation, and I learned on inquiry, what I had readily conjectured, that he was the father of the prisoners at the bar. He did not utter a word during the fifteen or sixteen hours that he remained in attendance

upon the dreadful scene which was going on before him. The appearance of Kate Costello herself, whom he had fostered, fed, and cherished, scarcely seemed to move him from his terrible tranquillity.

She was, as on the former occasion, the pivot of the whole case. The anticipations that she would not give evidence "against her own flesh and blood" were wholly groundless, for on her second exhibition as a witness she enacted her part with much more firmness and determination. She had before kept her eyes almost closed, but she now opened and fixed them upon the counsel, and exhibited great quickness and shrewdness in their expression, and watched the cross-examination with great wariness and dexterity. I was greatly surprised at this change, and can only refer it to the spirit of determination which her passage of the first difficulty on the former trial had produced. The first step in blood had been taken, and she trod more firmly in taking the second. Whatever may have been the cause, she certainly exhibited little compunction in bringing her cousins to justice, and laid the rod on the head of her relative and supposed paramour without remorse.

At an early hour on Sunday morning the verdict of guilty was brought in. The prisoners at the bar received it without surprise, but turned deadly pale. The change in John Keogh was more manifest, as in the morning of Saturday he stood blooming with health at the bar, and was now as white as a shroud. The Judge told them that as it was the morning of Easter Sunday (which is commemorative of the resurrection of the dead), he should not then pronounce sentence upon them. They cried out, "A long day, a long day, my Lord!" and at the same time begged that their bodies might be given to their father. This prayer was uttered with a sound resembling the wail of an Irish funeral, and accompanied with a most pathetic gesture. They both swung themselves with a sort of oscillation up and down, with their heads thrown back, striking their hands, with the fingers half closed, against their breasts, in the manner which Roman Catholics use in saying "*The Confiteor.*" The reference which they made to their father drew my atten-

tion to the miserable old man. Two persons, friends of his, had attended him in court; and when his sons, after having been found guilty, were about to be removed, he was lifted on the table, on which he was with difficulty sustained, and was brought near to the dock. He wanted to embrace John Keogh, and stretched out his arms toward him. The latter, whose manliness now forsook him, leaned over the iron spikes to his full length, got the old man into his bosom, and, while his tears ran down his face, pressed him long and closely to his heart. They were at length separated, and the sons were removed to the cells appointed for the condemned.

The Judge left the bench, and the court was gradually cleared. Still the father of the prisoners remained between his two attendants almost insensible. He was almost the last to depart. I followed him out. It was a dark and stormy night. The wind beat full against the miserable wretch, and made him totter as he went along. His attendants were addressing to him some words of consolation connected with religion (for these people are, with all their crimes, not destitute of religious impressions), but the old man only answered them with his moans. He said nothing articulate, but during all the way to the obscure cellar into which they led him, continued moaning as he went. It was not, I trust, a mere love of excitement, which arises from the contemplation of scenes in which the passions are brought out, that made me watch this scene of human misery. I may say, without affectation, that I was (as who would not have been?) profoundly moved by what I saw; and when I beheld this forlorn and desolate man descend into his wretched abode, which was lighted by a feeble candle, and saw him fall upon his knees in helplessness, while his attendants gave way to sorrow, I could not restrain my own tears.

The scenes of misery did not stop here. Old John Russel pleaded guilty. He had two sons, lads of fifteen or sixteen, and, in the hope of saving them, acknowledged his crime at the bar. "Let them," he said, in the jail where I saw him—"let them put me on the trap if they like, but let them spare the boys."

But I shall not proceed further in the detail of these dreadful incidents. There were many other trials at the assizes, in which terrible disclosures of barbarity took place. For three weeks the two Judges were unremittingly employed in trying cases of dreadful atrocity, and in almost every instance the perpetrators of crimes the most detestable were persons whose general moral conduct stood in a wonderful contrast with their isolated acts of depravity. Almost every offence was connected with the great agrarian organization which prevails through the country.

It must be acknowledged that, terrible as the misdeeds of the Tipperary peasantry must upon all hands be admitted to be, yet, in general, there was none of the meanness and turpitude observable in their enormities which characterize the crimes that are disclosed at an English assize. There were scarcely any examples of murder committed for mere gain. It seemed to be a point of honor with the malefactors to take blood, and to spurn at money. Almost every offence was committed in carrying a system into effect, and the victims who were sacrificed were considered by their immolators as offered up upon a justifiable principle of necessary extermination. These are assuredly important facts, and, after having contemplated these moral phenomena, it becomes a duty to inquire into the causes from which these marvellous atrocities derive their origin.

But before I proceed to suggest what I conceive to be the sources of a condition so disastrous, it is not inappropriate to inquire how long the lower orders in Ireland have been habituated to these terrible practices, and to look back to the period at which they may be considered to have had their origin. If these crimes were of a novel character, and had a recent existence, that circumstance would afford strong grounds for concluding that temporary expedients, and the vigorous administration of the law applied to the suppression of local and ephemeral disturbances, would be of avail. But if we find that it is not now, or within these few years, that these symptoms of demoralization have appeared, it is then reasonable to conclude that there must be some essential vice, some radical im-

perfection in the general system by which the country is gov erned, and it is necessary to ascertain what the extent and root of the evil is, before any effectual remedy can be discovered for its cure.

This is a subject of paramount interest, and its importance will justify the writer of this article, after a detail of the extraordinary incidents which he has narrated, in taking a rapid retrospect of antecedent events, of which recent transactions may be reasonably accounted the perpetuation. In doing so, some coincidence may be found with what the writer may have observed elsewhere, but the fear of incurring the imputation of either tediousness or self-citation shall not deter. him from references to what he conceives to be of great and momentous materiality.

The first and leading feature in the disturbances and atrocities of Tipperary is, that they are of an old date, and have been for much more than half a century of uninterrupted continuance. Arthur Young* travelled in Ireland in the years 1776, 1777, and 1778. His excellent book is entitled "A Tour in Ireland, with General Observations on the Present State of that Kingdom." Although the professed object of Arthur Young in visiting Ireland was to ascertain the condition of its agriculture, and a great portion of his work turns upon that subject, yet he has also investigated its political condition, and pointed out what he conceived to be the chief evils by which the country was afflicted, and the mode of removing them. He adverts particularly to the state of the peasantry in the south

* Arthur Young was one of the very few men who studied Agriculture, *as a science*, in the eighteenth century. That he might master it, he traversed the British islands, and extended his observations over France, Italy, and Spain. He was a great experimentalist. He published the Farmer's Calendar and the Annals of Agriculture, both of which were very popular, and among his contributors was George III., who aspired to be considered a country gentleman, by virtue of having a farm of his own, at Windsor. When Sir John Sinclair got the Government to establish the Board of Agriculture, he obtained the secretaryship for Mr. Young, who retained it until his death, in 1820. His Agricultural tours in England, Ireland, and France, were full of information, carefully collected and impartially communicated. His statements respecting the fallen condition of Ireland, and the causes of her decadence, were startling—because, from the writer's character, their truth was undoubted.—M.

of Ireland, and it is well worthy of remark that the outrages which are now in daily commission were of exactly the same character as the atrocities which were perpetrated by the Whiteboys (as the insurgents were called) in 1760.

"The Whiteboys," says Arthur Young, in page 75 of the quarto edition, "began in Tipperary. It was a common practice with them to go in parties about the country, swearing many to be true to them, and forcing them to join by menaces, which they very often carried into execution. At last they set up to be general redressers of grievances—punished all obnoxious persons who advanced the value of lands, or held farms over their head; and, having taken the administration of justice into their own hands, were not very exact in the distribution of it. They forced masters to release apprentices; carried off the daughters of rich farmers—ravished them into marriages; they levied sums of money on the middling and lower farmers, in order to support their cause, in defending prosecutions against them; and many of them subsisted without work, supported by these prosecutions. Sometimes they committed considerable robberies, breaking into houses and taking money under pretence of redressing grievances. In the course of these outrages they burnt several houses, and destroyed the whole substance of those obnoxious to them. The barbarities they committed were shocking. One of their usual punishments, and by no means the most severe, was taking people out of their beds, carrying them naked in winter on horseback for some distance, and burying them up to their chin in a hole with briers, not forgetting to cut off one of their ears." Arthur Young goes on to say that the Government had not succeeded in discovering any radical cure.

It will scarcely be disputed that the Whiteboyism of 1760 corresponds with that of 1828; and if, when Arthur Young wrote his valuable book, the Government had not discovered any "radical cure," it will scarcely be suggested that any remedy has since that time been devised. From the period at which these outrages commenced, the evil has continued in a rapidly-progressive augmentation. Every expedient which legislative ingenuity could invent has been tried. All that

the terrors of the law could accomplish has been put into experiment without avail. Special commissioners and special delegations of counsel have been almost annually despatched into the disturbed districts, and crime appears to have only undergone a pruning, while its roots remained untouched.

Mr. Doherty is not the first Solicitor-General of great abilities who has been despatched by Government for the purpose of awing the peasantry into their duty. The present Chief-Justice of the King's Bench [Bushe], upon filling Mr. Doherty's office, was sent upon the same painful errand, and, after having been equally successful in procuring the conviction of malefactors, and brandished the naked sword of justice with as puissant an arm, new atrocities have almost immediately afterward broken forth, and furnished new occasions for the exercise of his commanding eloquence.

It is reasonable to presume that the recent executions at Clonmel will not be attended with any more permanently useful consequences; and symptoms are already beginning to reappear, which, independently of the admonitions of experience, may well induce an apprehension that, before much time shall go by, the law-officers of the Crown will have to go through the same terrible routine of prosecution. It is said, indeed, by many sanguine speculators on the public peace, that now, indeed, something effectual has been done, and that the jail and the gibbet there have given a lesson that will not be speedily forgotten. How often has the same thing been said when the scaffold was strewed with the same heaps of the dead! How often have the prophets of tranquillity been falsified by the event! If the crimes which, ever since the year 1760, have been uninterruptedly committed, and have followed in such a rapid and tumultuous succession, had been of only occasional occurrence, it would be reasonable to conclude that the terrors of the law could repress them.

But it is manifest that the system of atrocity does not depend upon causes merely ephemeral, and can not therefore be under the operation of temporary checks. We have not merely witnessed sudden inundations which, after a rapid desolation, have suddenly subsided: we behold a stream as deep as it is dark,

which indicates, by its continuous current, that it is derived from an unfailing fountain, and which, however augmented by the contribution of other springs of bitterness, must be indebted for its main supply to some abundant and distant source. Where, then, is the well-head to be found? Where are we to seek for the origin of evils, which are of such a character that they carry with them the clearest evidence that their causes must be as enduring as themselves? It may at first view, and to any man who is not well acquainted with the moral feelings and habits of the great body of the population of Ireland, seem a paradoxical proposition that the laws which affect the Roman Catholics furnish a clew by which, however complicated the mazes may be which constitute the labyrinth of calamity, it will not be difficult to trace our way.

It may be asked, with a great appearance of plausibility (and indeed it is often inquired), what possible effect the exclusion of a few Roman Catholic gentlemen from Parliament, and of still fewer Roman Catholic barristers from the bench, can produce in deteriorating the moral habits of the people? This, however, is not the true view of the matter. The exclusion of Roman Catholics from office is one of the results of the penal code, but it is a sophism to suggest that it is the sum total of the law itself, and that the whole of it might be resolved into that single proposition. The just mode of presenting the question would be this: "What effect does the penal code produce by separating the higher and the lower orders from each other?"

Before I suggest any reasons of my own, it may be judicious to refer to the same writer, from whom I have extracted a description of the state of the peasantry, with which its present condition singularly corresponds. The authority of Arthur Young is of great value, because his opinions were not in the least degree influenced by those passions which are almost inseparable from every native of Ireland. He was an Englishman—had no share in the factious animosities by which this country is divided—he had a cool, deliberate, and scientific mind—was a sober thinker, and a deep scrutinizer into the frame and constitution of society, and was entirely free from

all tendency to extravagance in speculation, either political or religious. Arthur Young's book consists of two parts. In the first he gives a minute account of what he saw in Ireland, and in the second, under a series of chapters, one of which is appropriately entitled "Oppression," he states what he conceives to be the causes of the lamentable condition of the people. Having prefixed this title of "oppression" to the 29th page of the second part of his book, he says: "The landlord of an Irish estate inhabited by Roman Catholics, is a sort of despot, who yields obedience in whatever concerns the poor to no law but his own will. To discover what the liberty of a people is, we must live among them, and not look for it in the statutes of the realm: the language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland; a long series of oppression, aided by many very ill-judged laws, has brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of a most unlimited submission: speaking a language that is despised, professing a religion that is abhorred, and being disarmed, the poor find themselves, in many cases, slaves, even in the bosom of written liberty! . . . The abominable distinction of religion, united with the oppressive conduct of the little country-gentlemen, or rather vermin of the kingdom, who were never out of it, altogether bear still very heavy on the poor people, and subject them to situations more mortifying than we ever behold in England."

In the next page after these preliminary observations, this able writer (who said in vain fifty years ago what since that time so many eminent men have been in vain repeating) points out more immediately the causes of the crimes committed by the peasantry, which he distinctly refers to the distinctions of religion. "The proper distinction in all the discontents of the people is into Protestant and Catholic. The Whiteboys, being laboring Catholics, met with all those oppressions I have described, and would probably have continued in full submission, had not very severe treatment blown up the flame of resistance. The atrocious acts they were guilty of made them the objects of general indignation: acts were passed for

their punishment, which seemed calculated for the meridian of Barbary. It is manifest that the gentlemen of Ireland never thought of a radical cure, from overlooking the real cause of the disease, which, in fact, lay in themselves, and not in the wretches they doomed to the gallows. Let them change their own conduct entirely, and the poor will not long riot. Treat them like men, who ought to be free as yourselves; put an end to that system of religious persecution which for seventy years has divided the kingdom against itself. In these two things lies the cure of insurrection—perform them completely, and you will have an affectionate poor, instead of oppressed and discontented vassals; a better treatment of the poor in Ireland is a very material point to the welfare of the whole British empire. Events may happen which may convince us fatally of this truth. If not, oppression would have broken all the spirit and resentment of men. By what policy the Government of England can, for so many years, have permitted such an absurd system to be matured in Ireland, is beyond the power of plain sense to discover."

Arthur Young may be wrong in his inference (I do not think that he is); but, be he right or wrong, I have succeeded in establishing that he, whose evidence was most dispassionate and impartial, referred the agrarian barbarities of the lower orders to the oppression of the Roman Catholics. But the passage which I have cited is not the strongest. The seventh section of his work is entitled "Religion." After saying that "the domineering aristocracy of five hundred thousand Protestants feel the sweets of having two millions of slaves" (the Roman Catholic body was then not one third of what the penal code has since made it), he observes: "The disturbances of the Whiteboys, which lasted ten years" (what would he now say of their duration?), "in spite of every exertion of legal power, were, in many circumstances, very remarkable, and in none more so than in the surprising intelligence among the insurgents, wherever found. It was universal, and almost instantaneous. The numerous bodies of them, at whatever distance from each other, seemed animated by one zeal, and not a single instance was known, in that long course of time, of a

single individual betraying the cause. The severest threats and the most splendid promises of reward had no other effect than to draw closer the bonds which cemented a multitude to all appearance so desultory. It was then evident that the iron hand of oppression had been far enough from securing the obedience or crushing the spirit of the people; and all reflecting men, who consider the value of religious liberty, will wish it may never have that effect—will trust in the wisdom of Almighty God, for teaching man to respect even those prejudices of his brethren that are imbibed as sacred rights, even from earliest infancy; that, by dear-bought experience of the futility and ruin of the attempt, the persecuting spirit may cease, and toleration establish that harmony and security which, five-score years' experience has told us, is not to be purchased at the expense of humanity."

This is strong language, and was used by a man who had no connecting sympathy of interest, of religion, or of nationality, with Ireland. So unequivocal an opinion, expressed by a person of such authority, and whose credit is not affected by any imaginable circumstance, must be admitted to have great weight, even if there was a difficulty in perceiving the grounds on which that opinion rested. But there is little or none. The law divides the Protestant proprietor from the Catholic tiller of the soil, and generates a feeling of tyrannical domination in the one, and of hatred and distrust in the other. The Irish peasant is not divided from his landlord by the ordinary demarkations of society. Another barrier is erected, and, as if the poor and the rich were not already sufficiently separated, religion is raised as an additional boundary between them.

The operation of the feelings, which are the consequence of this division, is stronger in the county of Tipperary than elsewhere. It is a peculiarly Cromwellian district, or, in other words, the holy warriors of the Protector chose it as their land of peculiar promise, and selected it as a favorite object of confiscation. The lower orders have good memories. There is scarcely a peasant who, as he passes the road, will not point to the splendid mansions of the aristocracy, embowered in groves, or rising upon fertile elevations, and tell you the name of the

pious corporal or the inspired sergeant from whom the present proprietors derive a title, which, even at this day, appears to be of a modern origin.

These reminiscences are of a most injurious tendency. But, after all, it is the system of religious separation which nurtures the passions of the peasantry with these pernicious recollections. They are not permitted to forget that Protestantism is stamped upon every institution in the country, and their own sunderance from the privileged class is perpetually brought to their minds. Judges, sheriffs, magistrates, Crown-counsel, law-officers—all are Protestant.* The very sight of a court of justice reminds them of the degradations attached to their religion, by presenting them with the ocular proof of the advantages and honors which belong to the legal creed. It is not, therefore, wonderful that they should feel themselves a branded caste; that they should have a consciousness that they belong to a debased and inferior community; and, having no confidence in the upper classes, and no reliance in the sectarian administration of the law, that they should establish a code of barbarous legislation among themselves, and have recourse to what Lord Bacon calls "the wild justice" of revenge. A change of system would not perhaps produce immediate effects upon the character of the people: but I believe that

* Having repeatedly mentioned "Protestant Ascendency," in these notes, it may not be improper to define what it was and what it meant. In an address from the Corporation of Dublin to the Protestants of Ireland, praying them to resist Catholic Emancipation, the following passage occurs: "Protestant Ascendency, which we have resolved with our lives and fortunes to maintain. And that no doubt may remain of what we understand by the words 'Protestant Ascendency, we have further resolved, that we consider the Protestant Ascendency to consist in—a Protestant King of Ireland—a Protestant Parliament—a Protestant hierarchy—Protestant Electors and Government—the benches of justice, the army, and the Revenue, through all their branches and details, Protestant—and this system supported by a connection with the Protestant Realm of Britain." Previous to this assertion of exclusive Protestant rights, the Lord Chancellor of Ireland had declared from the judgment-seat (in 1759) that "the laws did not presume a Papist to exist in the Kingdom, nor could they breathe without the connivance of government." Yet the Catholics, whose rights and very existence were legally ignored, were about seven times more numerous than the Protestants of Ireland.—M.

its results would be much more speedy than is generally imagined.

At all events, the experiment of conciliation is worth the trial. Every other expedient has been resorted to, and has wholly failed. It remains that the legislature, after exhausting all other means of tranquillizing Ireland, should, upon a mere chance of success, adopt the remedy which has at least the sanction of illustrious names for its recommendation. The union of the two great classes of the people in Ireland—in other words, the emancipation of the Roman Catholics—is in this view not only recommended by motives of policy, but of humanity; for who that has witnessed the scenes which I have (perhaps at too much length) detailed in these pages, can fail to feel that, if the demoralization of the people arises from bad government, the men who from feelings of partisanship persevere in that system of misrule, will have to render a terrible account?

THE CATHOLIC BAR.

"And ye shall walk in silk attire."—*Old Ballad.*

Upon the first day of last Michaelmas term [1826] eight gentlemen were called to the Bar, of whom four were Roman Catholics. This was a kind of event in the Hall of the Four Courts, and in the lack of any other matter of interest, such as the speech of a new Sergeant at a corporation dinner, which had by this time ceased to excite the comments of the attorneys, produced a species of excitation. There are two assortments of oaths for Catholics and Protestants upon their admission to the Bar. The latter still enter their protestations, in the face of Lord Manners and of Heaven, against the damnable idolatry of the Church of Rome. But when the more mitigated oath provided for the Roman Catholics happens to be rehearsed on the first day of term,* it is easy to perceive an expression of disrelish in the countenance of the court; and although it is impossible for Lord Manners to divest himself of that fine urbanity which belongs to his birth and rank, yet in the bow with which he receives the aspiring Papist, there are evident symptoms of constraint; and it is by a kind of effort even in his features that they are wrought into an elaborated smile.

It does not frequently happen that more than one or two Roman Catholics are called in any single term; and when

* This sketch was published in February, 1827, when Lord Manners was Chancellor—Roman Catholics were not admitted to the Irish bar until 1798. —Among the earliest who availed themselves of this privilege, was Mr. O'Connell.—M.

Lord Manners heard four several shocks given to the Constitution, and the Roman Catholic qualification-oath coming again and again upon him, it is not wonderful that his composure should have been disturbed, and that the loyal part of the Bar should have caught the expression of dismay. Mr. Sergeant Lefroy, alarmed at the repeated omissions of those pious denunciations of the Virgin Mary, by which the laws and liberty of these countries are sustained, in the very act of putting a fee into his pocket, lifted up the whites of his eyes to Heaven: Mr. Devonshire Jackson let fall his mask, and determined on voting for Gerard Callaghan:* the Solicitor-General was observed to whisper Mr. Saurin, until the arrival of Mr. Plunket withdrew him from the ear of his former associate in office: to Mr. Saurin it was proposed by Barclay Scriven to petition Mr. Peel to appoint him Attorney-General in the island of Barbadoes; and it is rumored that another letter to my Lord Norbury has been discovered,† in which the writer protests his belief, that the Bar will soon be reduced to its condition in the reign of James the Second.

In the reign of James the Second, Roman Catholic barristers were raised to office; and, as the time appears to be at hand when they will be rendered eligible by law to hold places of distinction and of trust, it is worth our while to examine in what way they conducted themselves when, in the short interval of their political prosperity, Roman Catholics were invested with authority. Doctor King says, that "no sooner had the Papists got judges and juries that would believe them, but they began a trade of swearing and ripping up what they pretended their Protestant neighbors had said of King James, whilst Duke of York;" and proceeds to charge them with gross corruption in the administration of justice.

* Mr. Devonshire Jackson, a clever lawyer, very attenuated in person and intolerant in political polemics, is now one of the Judges of the Common Pleas in Ireland.—Mr. Gerard Callaghan, son of Daniel Callaghan, a rich victualler and contractor in Cork, was ineligible, as a Catholic, to sit in Parliament, so he changed his religion, and was elected for his native city. After Emancipation his brother Daniel was elected, without relinquishing his religious faith.—M.

† See the preceding sketch of Lord Norbury, in this volume.—M

The Doctor was Archbishop of Dublin. He had originally been a sizar in the University; and having afterward obtained a fellowship, gradually raised himself, by dint of sycophancy and intrigue, to one of the richest sees in the richest establishment in the world.* Whether he exhibited all the arrogance of a Pontifical *parvenu;* whether he was at once a haughty priest and a consecrated jackanapes; whether he was a sophist in his creed, an equivocator in his statements, and a cobweb-weaver in his theology; whether he had a vain head, a niggard hand, and a false and servile heart, and betrayed the men who raised him, I have not been able to determine. He appears to have been an apostate in his politics.† His representation of the conduct of the Catholic judges in his time is not without some episcopal characteristics, and justifies what Leslie says of him:—"Though many things the archbishop says are true, yet he has hardly spoken a true word without a warp." The best and most incontrovertible evidence (that of Lord Clarendon, the Lord-Lieutenant, and a firm Protestant), could be adduced to show how widely the statements of Doctor King vary from the fact.

Lord Clarendon tells us that "when the Popish judges went to the assizes in the counties of Down and Londonderry, where many considerable persons were to be tried for words formerly spoken against King James, they took as much pains as it

* Dr. William King, born in 1650, was an Irishman educated at Trinity College, and for many years Archbishop of Dublin. It is worth mention, as showing how church patronage went in those days, and (it may be) how little they deserved promotion, that though, from 1609 to 1773, there were one hundred and eight appointments or translations to Irish sees, only twenty-three fellows of Trinity College (the only University in Ireland), were among the prize-holders. One of these was the illustrious James Usher, appointed Bishop of Meath in 1620 (a see now having Dr. Singer at its head), and Archbishop of Armagh in 1624. A celebrated wit, by the way, used to say that "Bishops," who are always removed merely to richer dioceses, "are the only things that do not suffer by *translation*."—Archbishop King died in 1729.—M.

† Of these last sentences it might be said, addressing Dr. Magee, Archbishop of Dublin when they were written—

"Mutato nomine, de te fabula narratur."

Mr. Sheil appears to have a rooted antipathy to this divine, who was a liberal in his youth, but became intolerant in his later years.—M.

was possible to quiet the minds of the people wherever they went; and they took care to have all the juries mingled, half English and half Irish."—(State Letters, vol. i., p. 326.) "Judge Daly," he says, "one of the Popish judges, did, at the assizes of the county of Meath, enlarge much upon the unconscionableness of indicting men for words spoken so many years before; and thereupon the jurors, the major part of whom were Irish, acquitted them:" and he adds, that "Mr. Justice Nugent, another Popish judge, made the same declaration at Drogheda, where several persons were tried for words." Lord Clarendon further states, that he was in the habit of consulting Roman Catholics, who had been recently promoted, respecting the appointment of mayors, sheriffs, and common-council men. "I advise," he says, "with those who are best acquainted in these towns, particularly with Justice Daly, and others of the King's council of that persuasion; and the lists of names these men give me, are always equal, half Engglish, half Irish, which, they say, is the best way to make them unite and live friendly together."—(State Letters, vol. ii., p. 319.)

In the first volume of the State Letters, p. 292, he says, "At the council-board, there was a complaint proved against a justice of the peace; and it is remarkable that several of our new Roman Catholic counsellors, though the justice was an Englishman and a Protestant, were for putting off the business; and particularly the three said Popish judges said, the gentleman would be more careful for the future." He adds, that "when the Popish judges were made privy-counsellors, they conducted themselves with singular modesty,"—a precedent which I have no doubt that Mr. Blake will follow, when he shall be elevated to the vice-regal cabinet.*

* Many a chance arrow hits the white; many a true word is spoken in jest; Mr. Sheil was an involuntary prophet. Anthony Richard Blake, who was Lord Wellesley's particular friend, was one of the earliest Catholic Privy Councillors in Ireland, after Emancipation. Born in 1786, he was called to the bar in 1813; was Chief-Remembrancer of Ireland from 1823 to 1842, when he resigned from ill-health; in 1844, was made a commissioner of charitable donations and bequests for Ireland; and died, in January, 1849, aged sixty-three.—M.

Of the Roman Catholics, who were promoted in the reign of James the Second, Sir Theobald Butler was by far the most distinguished. He was created Attorney-General, and discharged the duties of his office with perfect fairness and impartiality. This very able, and, as far as renown can be obtained in Ireland, this celebrated man was not only without an equal, but without a competitor in his profession. Although the reputation of a lawyer is almost of necessity evanescent, yet such was the impression produced by his extraordinary abilities, that his name is to this day familiarly referred to. This permanence in the national recollection is in a great measure to be attributed to the very important part which he took in politics, and especially in the negotiation of the treaty of Limerick. His high rank also, for he was a member of the great house of Ormond, added to his influence.

As far as I have been able to form an estimate of his intellectual qualities, from the speech which he delivered at the bar of the Irish House of Commons, he was more remarkable for strength, brevity, condensation, and great powers of argument, than for any extraordinary faculty of elocution. The speech to which I have adverted, has none of those embellishments of rhetoric, and those splendid vices in oratory, to which the school of Irish eloquence became subsequently addicted.* The whole of this oration is cast in a syllogistic mould, and exhibits too much logical apparatus. It was, I believe, the fashion of the time: still the vehemence of passion breaks through the artificial regularity of reasoning, and while he is proceeding with a series of propositions, systematically divided, the indignant emotions, which the injuries of his country could not fail to produce, burst repeatedly and abundantly out: in the midst of all the pedantic forms of scholastic disputation, Nature asserts her dominion; he gives a loose to anguish, and pours forth his heart.

Sir Theobald Butler had not only been among the besieged Catholics at Limerick, but was employed by his countrymen

* And of which Mr. Sheil's own oratory was a brilliant example; — so easy is it to perceive faults, and yet possess them — to approve of the "meliora," and yet have to add "sed inferiora sequor." — M.

to settle the articles of capitulation.* His name appears on the face of the treaty as one of the parties with whom, on behalf of the Irish, it was concluded. When in the year 1703, only twelve years after the articles had been signed, a bill (the first link of the penal code) was introduced into parliament, the effect of which was utterly to abrogate those articles, the eyes of the whole nation were turned upon the man who had been instrumental in effecting that great national arrangement. Independently of his great abilities as an advocate, he presented, in his own person, a more immediate and distinct perception of that injustice which was about to be exercised against the body, of which he was the ornament, and to which his eloquence now afforded their only refuge.

In a book entitled "An Account of the Debates on the Popery Laws," it is stated that the Papists of Ireland, observing that the House of Commons was preparing the heads of a bill to be transmitted to England to be drawn into an act to prevent the growth of Popery, and having in vain endeavored to put a stop to it there, at its remittance back to Ireland presented to the House of Commons a petition praying to be heard by their counsel against the bill, and to have a copy of the bill, and to have a reasonable time to speak to it before it passed, when it was ordered that they should be heard.

Upon Tuesday the 22d of February, 1703, Sir Theobald Butler appeared at the bar, and with the treaty of Limerick

* The defender of Limerick, when besieged by the army of William III., at the Revolution, was "the gallant Sarsfield"—so designated in the histories of the time. He was created Earl of Lucan, by James II., but the title was not legally recognised, for himself or his descendants, in Great Britain or Ireland. Limerick was surrendered to William, even while the Irish were within a few hours of assistance from France, upon conditions, which, if carried out by the English, would have secured equal civil rights and liberties to all of the Irish people, and bound Ireland to Great Britain by a stronger tie — that of justice rendered — than that of "allegiance." The treaty of Limerick, which terminated the Dutchman's contest for a throne, was basely violated by England, when penal laws against Catholics were enacted, instead of the promised justice. To this day, the very stone on which that Treaty was signed, is shown in Limerick, and one of O'Connell's most stirring speeches, during the "Monster Meetings" of 1843, was made within sight of this monument of Ireland's having trusted to the honor of England — and having been deceived.—M.

in his hand, requested, on behalf of the Irish Roman Catholics, to be heard. It must have been a very remarkable scene. Whether we consider the assembly to which the remonstrance was addressed, or the character and condition of the body on whose behalf it was spoken, whose leading nobles, and they were then numerous, stood beside their advocate at the bar of the House, we can not but feel our minds impressed with a vivid image of a most imposing, and in some particulars a very moving spectacle.

The first advocate of his time, who was himself a principal party in the cause which he came to plead, stood before a Protestant House of Commons; while below the bar were assembled about their counsel the heads of the Roman Catholic aristocracy. The latter constituted a much more extensive and differently-constituted class of men from those by whom they have been succeeded. They had been born to wealth and honor: they had been induced, by a sentiment of chivalrous devotion, to attach themselves to the fortunes of an unhappy prince. The source of their calamities was in a lofty sentiment. Almost all of them had been soldiers; scarce a man of them but had carried harness on his back. They were actuated by the high and gallant spirit which belongs to the profession of arms. On the banks of the Boyne, on the hill of Aughrim, and at the gates of Limerick, they had given evidences of valor, which, although unavailing, were not the less heroic. They had been worsted, indeed; but they had not been subdued: they had been accustomed to consider their privileges as secured by a great compact, and in substituting the honor of England for the bastions of Limerick, they looked upon their liberties as protected by still more impregnable muniments.

It is easy to imagine the dismay, the indignation, and the anguish, with which these gentlemen must have seen a statute in rapid progress through the legislature, which would not only have the effect of violating the treaty of Limerick, and reduce them to a state of utter servitude, but, by holding out the estate of the father as a premium for the apostacy of the child, would inculcate a revolt against the first instincts of nature,

and the most sacred ordinances of God. Their advocate, at least, saw the penal code in this light. "Is not this," he exclaimed, "against the laws of God and man, against the rules of reason and justice; is not this the most effectual way in the world to make children become undutiful, and to bring the gray head of the parent to the grave with grief and tears?" In speaking thus, he did no more than give vent to the feelings which, being himself a father, he must have deeply experienced; and the heart of every parent whose cause he was pleading, must have been riven by their utterance.

If there was something imposing in the sight of so many of the old Catholic nobility of Ireland, of so many gallant soldiers, gathered round their counsel in a group of venerable figures (for most of those who had fought in the civil wars were now old), the assembly to which they were come to offer their remonstrances must have also presented a very striking spectacle. The Irish House of Commons represented a victorious and triumphant community. Pride, haughtiness, and disdain, the arrogance of conquest, the appetite of unsatisfied revenge, the consciousness of masterdom, and the determination to employ it, must have given this fierce and despotic convention a very marked character. Most of its members, as well as their Roman Catholic supplicants, had been soldiers; and to the gloom of Puritanism, to which they were still prone, they united a martial and overbearing sternness, and exhibited the flush of victory on their haughty and commanding aspect. To this day, there are some traces of lugubrious peculiarity in the descendants of the Cromwellian settlers in Ireland; at the period of which I speak, the children of the pious adventurers must have exhibited still deeper gloom of visage, and a darker severity of brow.

In addressing an assembly so constituted, and in surveying which an ordinary man would have quailed, Sir Theobald Butler had to perform a high and arduous duty. How must he have felt, when, advancing to the bar of the House, he threw his eyes around him, and beheld before him the lurid looks and baleful countenances of the Protestant conquerors of his country, and saw beside him the companions of his

youth, the associates of his early life, many of them his own kindred, all of them his fellow-sufferers, clinging to him as to their only stay, and substituting his talents for the arms which he had persuaded them to lay down! The men whom he had seen working the cannon at the batteries of Limerick stood now, with no other safeguard but his eloquence, at the mercy of those whom they had fought in the breach and encountered in the field. An orator of antiquity mentions that he never rose to speak upon an important occasion without a tremor. When the advocate of a whole people rose in the deep hush of expectation, and in all that thrilling silence which awaits the first words of a great public speaker, how must his heart have throbbed!

Sir Theobald Butler's speech (I dwell thus long upon the subject, because the event which produced it has been attended with such important consequences) comprehends almost every reason which can be pressed against the enactment of the penal code, as a violation of public faith. He did not, however, confine himself to mere reasoning upon the subject, but made an attempt to touch the feelings of his Protestant auditors. He has drawn a strong and simple picture of the domestic effects of the penal code in the families of Roman Catholics, by transferring the estate of the father to his renegade son. "That the law should invest any man with the power of depriving his fellow-subject of his property would be a grievance. But my son—my child—the fruit of my body, whom I have nursed in my bosom, and loved more dearly than my life—to become my plunderer, to rob me of my estate, to take away my bread, to cut my throat—it is enough to make the most flinty heart bleed to think on it. For God's sake, gentlemen, make the case your own," &c.*

This adjuration exhibits no art of phrase, but it has nature, which, as was observed by Dryden of Otway's plays, is, after

* Extracts from Sir Theobald Butler's speech were given about a year ago in the *Etoile* newspaper, which in a series of articles on Ireland contributed to produce that calculation upon the feeling of the Roman Catholic body recently evinced in the debates of the French parliament. [The extracts referred to were supplied to *L'Etoile* by Mr. Sh il himself, with other articles (many of them from his own pen), which were translated into English, and published by the London press, as indicating *French* opinions on Irish subjects.—M.]

all, the greatest beauty. Those simple words, which contained so much truth, can not be read without emotion; but how far greater must have been their effect when uttered by a parent, who was lifting up his voice to protect the sanctuaries of nature against violation! In what tone must a father have exclaimed, "It would be hard from any man; but from my son, my child, the fruit of my body, whom I have nursed in my bosom!" Surely, in the utterance of this appeal—not by a mere mercenary artificer of passion, but by a man whom everybody knew to be speaking the truth, and whose trembling hands and quivering accents must have borne attestation to his emotions—the sternest and most resolved of his judges must have relented, and, like the evil spirit at the contemplation of all the misery he was about to inflict—

"For a moment stood
Divested of his malice."

And if the hearts of the Protestant confiscators were touched, did not the tears roll down the faces of the unfortunate Catholics who stood by—did they not turn to sob in the bosom of their children, and, clasping them in their arms, inquire, in the dumb eloquence of that parental embrace, "whether they would ever strike the poniard, with which the law was about to arm them, into their breasts?" Their advocate did not, however, merely appeal to the sensibilities of his auditors, but swept his hand over strings by which a still deeper vibration must have been produced.

He assumed a loftier and a bolder tone. He raised himself up to the full height of his mind, and, appealing to the principles of eternal truth and justice, denounced the vengeance of Heaven on those who should be so basely perfidious as to violate a great and sacred compact; and was sufficiently courageous to remind a Protestant House of Commons that the treaty of Limerick had been signed, "when the Catholics had swords in their hands." This was a stirring sentence, and sent many a heart-thrilling recollection into the hearts of those to whom it was addressed. The prince of the conquerors must have started, and the conquered must have looked upon hands in

which there were swords no more. It is recorded of an ancient orator, that he exercised over the minds of his heroes an influence so powerful, that his description of a battle was interrupted by the exclamation of a soldier who had been present at the engagement, and whom the spell of eloquence had carried back to the field.

Even at this day, every reference to the siege of Limerick produces an extraordinary excitation in Roman Catholic assemblies; and if the descendants of those whose rights were secured by the treaty of Limerick, recur with indignation to the incidents of that celebrated siege, to what a point of excitation must the gallant cavaliers, by whom the advocate of the Irish nation was surrounded, have been wrought, when he, who was himself a party to that great national indenture, with that deep and solemn tone and that lofty gravity of demeanor for which he was remarkable, recalled the events in which almost every man who heard him bore a conspicuous part. It is in the remembrance of such scenes that memory may be justly called, "The actor of our passions o'er again." I do not think that I am guilty of any exaggeration, when I say that in appealing to the time when the Roman Catholics had arms in their hands, the advocate of their rights and the representative of their emotions must have brought back many a martial recollection to the clients in whose front he stood, and whose cause he was so emphatically pleading. The city, from which William at its first siege, with an army of thirty thousand men, had been driven back — the fortress, which art and nature had conspired to make strong, and which valor and constancy would have rendered impregnable — must have risen before them. All the glorious circumstance incidental to their former occupation must have returned. The shout of battle, the roar of the cannon, the bloody foss, the assault and the repulse, the devotion and abandonment, with which whole regiments rushed through the gates, and precipitated themselves into imaginary martyrdom — Sarsfield upon the battlements, the green flag floating from the citadel, and the cry of "Help from France!" — these must have been among the recollections which were awakened by their advocate, while he appealed to

the time "when they had arms in their hands," and stood in the fire of their batteries, and not at the threshold of the House of Commons.

But, if the sentiment of martial pride was rekindled for an instant, how quickly it must have gone out, and how soon those emotions must have collapsed into despair. They must have known, for the countenances of their victors must have apprized them, that they had nothing to expect but servitude and all the shame that follows it; and then, indeed, they must have mourned over the day when, at the head of a powerful army, in a strong fortification, with several garrison-towns still in their possession, with a great mass of the population ready to rush again to the field, and with a French fleet freighted with arms and with troops in the Shannon, they had been induced, upon the faith of a solemn compact, to lay down their swords, and put their trust in the honor of the King and the integrity of his people. They must have cursed the day, when, instead of adding their bones to the remains of those who lay slaughtered in the trenches of Limerick, they survived to behold the Protestants of Ireland taking advantage of that fatal surrender, and in defiance of the most solemn compacts, in violation of a clear and indisputable treaty, not only excluding them from the honors and privileges of the state, but wresting their property from their hands, instituting a legalized banditti of "discoverers," exciting their children into an insurrection against human nature, converting filial ingratitude into a merit, and setting up parricide as a newly-invented virtue, in the infernal ethics of the law.

As Sir Theobald Butler had anticipated (for he intimates it in an involuntary expression of despondency), his arguments were of little avail, and he lived long enough to see the penal code carried to its atrocious perfection, and chain after chain thrown upon his country. He even survived an act of parliament by which Roman Catholics were excluded from the profession in which he had earned fortune and renown. It is a common notion that he changed his religion in order to avert the evils which he so powerfully described; but I was informed by his grandson, Mr. Augustine Butler, that he died in the reli-

gion in which he had lived,* and that his great estates became in consequence equally divisible among his children.† He was interred in the church-yard of St. James's church, in Dublin, where a huge but rather uncouth monument has been raised to his memory. His epitaph differs from most obituary panegyrics, by the adherence of encomium to truth. It is inscribed under a rude and now mutilated bust, and runs as follows:—

Designatur hac effigie
Theobaldus e gente Butlera
Hibernus Jurisconsultus
Legum, Patriæ, nominis decus
Dignitate equestri donatus, non auctus
Causidicus
Argutus, concinnus, integer
Barbarie forensi, et vernacula disertus
Non partium studio
Non favoris aucupio
Non verborum lenocinio
Sed rerum pondere
Et ingenii vi insitâ
Et legum scientia penitiori
Pollens
Quem lingua solers, illibata fides
Comitate et sale multo condita gravitas
Quem vitæ tenor sincerus
Et recti custos animus
Legum recondita depromere sagax
Ad famæ fastigium evexere
Fortunæ etiam, ni religio obstaret, facile evexissent.
Obiit Septuagenarius XI Martii, 1720.

Notwithstanding the exclusion of Roman Catholics from the Bar, the expedient which was adopted for the purpose does not appear to have been found effectual. A certificate of

* Sir Theobold Butler died in March, 1720, aged seventy.—M.

† The anti-Catholic Penal code enacted, among many other things, that no Catholic heir could profit by primogeniture, but that the real estate was equally divisible among all the children, but that if he turned Protestant he would then have the whole estate, even in his father's lifetime: if a Protestant went over to the Church of Rome, or procured another to do so, it was high treason. A Catholic wife was allowed an increase of jointure, on becoming a Protestant. A priest who married a Catholic to a Protestant, was liable to be hanged.—M.

conformity was all that was required, and this certificate was so easily obtained, that the members of the obnoxious religion were still able to creep and steal into the profession. The letters of Primate Boulter,* who governed Ireland for a considerable time, and whose simple maxim it was to keep Ireland divided in order that her dependency might be secured, give us a very curious insight into the state of the Irish Bar in the year 1727. In a letter dated the 7th of March, 1727, he writes: "There is a bill gone over to regulate the admission of barrister, attorneys, six clerks, solicitors, sub-sheriffs, &c., which is of the last consequence to this kingdom. The practice of the law, from the top to the bottom, is at present mostly in the hands of new converts, who give no further security on this account than producing a certificate of their having received the sacrament in the Church of England or Ireland, which several of them, who were Papists in London, obtain in the road hither, and demand to be admitted barristers in virtue of it at their arrival, and several of them have *Popish wives*, and have masses said in their houses. Everybody here is sensible of the terrible effects of this growing evil, and both Lords and Commons are most eagerly desirous of this bill." (Boulter's Letters, vol. i., p. 179.)

The horror entertained by his Grace of Dublin for barristers, whose better halves were infected with Popery, appears ludicrous at this day. Doctor King considered the division of allegiance at the Bar, between the law and the fair sex, as highly dangerous to the security of the Established Church, and would have taken "*au pié de la lettre*" what Lord Chesterfield said of the beautiful Lady Palmer,† that she was the only "dangerous Papist" he had ever seen in Ireland.

* Hugh Boulter was Archbishop of Armagh, Primate of Ireland, and virtual Governor of the country, during the earlier period of the Hanoverian dynasty, and is chiefly remarkable for having established schools for the instruction of the Irish children; which seminaries were eventually perverted, by the Ascendency party, to purposes of proselytism.—Primate Boulter died in 1742.—M.

† The writer of this article was acquainted with Lady Palmer, when she was upward of one hundred years of age. The admiration which Lord Chesterfield is known to have entertained for this lady induced me to seek an introduction to her. Although rich, she occupied a small lodging in Henry street,

I know not, however, whether the feeling by which Doctor King was influenced, be wholly extinct. I do not mean to say that Lord Wellesley would object to a barrister on account of

where she lived secluded and alone. Over the chimney-piece of the front drawing-room was suspended the picture of her platonic idolater. It was a half-length portrait, and had, I believe, been given to her by the man of whose adoration she was virtuously vain. I was engaged in looking at this picture, while I waited on the day of my first introduction for this pristine beauty of the Irish court. While I gazed upon the picture of a man who united so many accomplishments of manner and of mind, and observed the fine intellectual smile, which the painter had succeeded in stealing upon animated canvass, I fell into a somewhat imaginative strain of thought, and asked myself what sort of woman "the dangerous Papist" must have been, in whom the master of the graces had found such enchanting peril. "What a charm," I said, "must she have possessed, upon whose face and form those bright eyes reposed in illuminated sweetness,—how soft and magical must have been the voice from whose whispers those lips have hung so often, what gracefulness of mind, what an easy dignity of deportment, what elegance of movement, what sweet vivacity of expression, how much polished gayety and bewitching sentiment must have been united!" I had formed to myself an ideal image of the young, the soft, the fresh, the beautiful, and tender girl, who had fascinated the magician of so many spells. The picture was almost complete. The Castle in all its quondam lustre rose before me, and I almost saw my Lord Chesterfield conducting Lady Palmer through the movements of a minuet, when the door was slowly opened, and in the midst of a volume of smoke, which, during my phantasmagoric imaginations, had not inappropriately filled the room, I beheld in her own proper person the being, in whose ideal creation I had indulged in a sort of Pygmalian dream. The opening of the door produced a rush of air, which caused the smoke to spread out in huge wreaths about her, and a weird and withered form stood in the midst of the dispersing vapor. She fixed upon me a wild and sorceress eye, the expression of which was aided by her attitude, her black attire, her elongated neck, her marked and strongly-moulded, but emaciated features. She leaned with her long arm and her withered hand of discolored parchment upon an ivory-headed cane, while she stretched forth her interrogating face, and with a smile, not free from ghastliness, inquired my name. I mentioned it, and her expression, as she had been informed that I was to visit her, immediately changed. After the ordinary formulas of civility, she placed herself in a huge chair, and entered at once into politics. She was a most vehement Catholic, and was just the sort of person that Sir Harcourt Lees would have ducked for a rebel and a witch. Lord Chesterfield and the Catholic question were the only subjects in which she seemed to take any interest. Upon the wrongs done to her country, she spoke not only with energy, but with eloquence, and with every pinch of snuff poured out a sentence of sedition. "Steth, sir, it is not to be borne," she used to exclaim, as she lifted her figure from the stoop of age, with her eyes flashing with fire, and struck her cane vio-

his "having a Popish wife, and mass said in his house; but it is observable that, of the three Catholic barristers who have been promoted under his Lordship's administration, by a strange matrimonial coincidence every one is married to a Protestant.

The bill sent over by Primate Boulter was carried, and Catholics were effectually excluded from the Bar. From 1725 to 1793 lawyers earnestly and strenuously professed the doctrines of the state; and although upon his death-bed many an orator of renown supplicated in a Connaught accent for a priest, yet his lady, whose gentility of religion was brought into some sort of question, and who would have considered it as utterly derogatory to set up a widow's cap to the memory of a relapsed papist, either drowned the agonies of conscience in the vehemence of her sorrows, or slapped the door in the face of the intrepid Jesuit, who had adventured upon the almost hopeless enterprise of saving the soul of the expiring counsellor. The Bar gradually assumed a decidedly Protestant character; and although an occasional Catholic practised as a conveyancer, yet none obtained any celebrity in the only department of the law from which Roman Catholics were not actually excluded. Indeed, they held so low a place, that it appears to have been a kind of disrepute to have had anything to do with them; and I remember to have read, in the cause of Simpson against Lord Mountmorris, the deposition of a witness, who stated as a ground for impeaching a deed, executed by the Earl of Anglesea, that it was drawn by a Papist. Roman Catholics were, at this period, excluded from the

lently to the ground. Wishing to turn the conversation to more interesting matter, I told her I was not surprised at Lord Chesterfield having called her a "dangerous Papist." I had touched a chord, which, though slackened, was not wholly unstrung. The patriot relapsed into the woman; and passing at once from her former look and attitude, she leaned back in her chair, and drawing her withered hands together, while her arms fell loosely and languidly before her, she looked up at the picture of Lord Chesterfield with a melancholy smile. "Ah!" she said ——— But I have extended this notice beyond all reasonable compass. I think it right to add, after so much mention of Lady Palmer, that although she was vain of the admiration of Lord Chesterfield, she took care never to lose his esteem, and that her reputation was without a blemish.

English, as well as from the Irish Bar; but Booth, the great conveyancer, was a Roman Catholic, and, before the professors of his religion were admissible to the rank of counsel, Mr. Charles Butler, of Lincoln's Inn, had obtained great fame.

In the year 1793 the great act for the relief of the Roman Catholics was passed. It was a piece of niggard and preposterous legislation: all, or nothing, should have been conceded. The effect of a partial enfranchisement was to give the means of acquiring wealth, influence, intelligence, and power, and yet withhold the only legitimate means of employing them. The Roman Catholics were not admitted into, but brought within reach of the constitution. They were still placed beyond the state, and were furnished with a lever to shake it. They obtained that external *point d'appui* from which they have been enabled to exercise a disturbing power. The extension of the elective franchise to men, who were at the same time declared to be ineligible to parliament, and the admission of Catholics to the Bar while they were denied its honorable reward, are conspicuous instances of impolicy.

The late Mr. George Ponsonby* was strongly impressed with the imprudence of allowing Roman Catholics to enter the race of intelligence, and yet shut up the goal. He felt that the government were disciplining troops against themselves, and insisted on the absurdity of exciting ambition, and at the same time closing the avenues to its legitimate gratification. He saw that, so far from conciliating the Roman Catholic body by so imperfect and lame a measure of relief, their indignation would rather be provoked by what was refused, than their gratitude be awakened by what was granted: desire would be inflamed by an approach to its object, while it was denied its natural and tranquillizing enjoyment. Mr. Ponsonby's anticipations were well-founded, and are going through a rapid process of verification.

The first Roman Catholics who took advantage of the ennobling statute, were Mr. Donnellan, Mr. Mac Kenna, Mr. Lynch, and Mr. Bellew. Every one of those gentlemen (*quod*

* Lord Chanceller of Ireland under "All the Talents" Ministry of 1806–'7. A brief memoir of him occurs in the previous volume.—M.

vota, as Lord Coke says in his occasional intimations to Junior Bar) was provided for by Government. Mr. Donnellan obtained a place in the revenue; Mr. Mac Kenna wrote some very clever political tracts, and was silenced with a pension; Mr. Lynch married a widow with a pension, which was doubled after his marriage; and Mr. Bellew is in the receipt of six hundred pounds a year, paid to him quarterly at the Treasury. The latter gentleman is deserving of notice. Whether I consider him as an individual, as the representative of the old Catholic aristocracy at the Bar, as a politician, a religionist, or a pensioner, I look upon this able, upright, starch, solemn, didactic, pragmatical, inflexible, uncompromising, obstinate, pious, moral, good, benevolent, high-minded and exceedingly wrong-headed person, as in every way entitled to regard.

Mr. William Bellew is a member of one of the most distinguished Roman Catholic families in Ireland. There was formerly a peerage attached to his name, which was extinguished in an attainder. A baronetcy was retained. His father, Sir Patrick Bellew, was a man of a high spirit, distinguished for his munificence, and that species of disastrous hospitality, by which many a fine estate was so ingloriously dismembered. He constituted a sort of exception among the Catholic gentry; for at the time when that body sank under the weight of accumulated indignities, Sir Patrick Bellew exhibited a lofty sense of his personal importance, and was sufficiently bold to carry a sword. His property descended to his eldest son, Sir Edward Bellew.* Mr. William Bellew, the barrister, who was his second son, was sent to the Anglo-Saxon university of Douay, whence he returned with all the altitude of demeanor for which his father was remarkable, but with a profound veneration for all constituted authorities, of whatever nature, kind, or degree, and with abstract tendencies to political submission, which are by no means at variance with a man's interests in Ireland.

* Sir Edward Bellew, who died in 1827, was M. P. for, and Lord Lieutenant of, the County of Louth. He was succeeded by his son, the present Sir Patrick Bellew.—M.

He was one of the first Roman Catholics called to the Bar, and I have understood from some of his contemporaries, that, as he represented the Catholic gentry, and was considered to take a decided lead in their proceedings, in his first appearance in the Four Courts he attracted much notice. His general bearing produced a sort of awe; and it was obvious that, as Owen Glendower says, "he was not in the roll of common men." His lofty person, his stately walk, his perpendicular attitude, the rectilineal position of his head, his solemnity of gesture, the deep and meditative gravity of his expression, his sustained and measured utterance, the deliberation of his tones, his self-collectedness and concentration, and that condensed, but by no means arrogant or overweening, look of superiority by which he is characterized, fixed a universal gaze upon him; and from the contrast between him, and the rapid, bustling, and airy manner of most of his brethren, excited a general curiosity. Heedless of observation, and scarcely conscious of it, the forensic aristocrat passed through the throng of wondering spectators, and as Horatio says of the Royal Dane,

> "with solemn march
> Went slow and stately by them."

There was, indeed, something spectral in his aspect. The phantom of the old Catholic aristocracy seemed to have been evoked in his person, while the genius of Protestant ascendency shrunk before its majestic apparition. All idea of checking "the growth of Popery" vanished in an instant at his sight; the only man who could compete with him in longitude of dimensions being Mr. Mahaffy; but that gentleman's stupendous length sat uneasily upon him, whereas the soul of the lofty Papist seemed to inhabit every department of his frame, and would have disdained to occupy any other than its sublime and appropriate residence. High as his post and demeanor were, they were wholly free from affectation. With a great deal of pride, he manifested neither insolence nor conceit. He looked far more dignified than authoritative; and although a strong expression of austerity was inscribed upon his countenance, it was by no means heartless or even severe. If I were

a painter and were employed to furnish illustrations of Ivanhoe, I do not think that I could find a more appropriate model than Mr. Bellew for the picture of Lucas Beaumanoir. His visage is inexorable without fierceness; and many a time hath he been observed fixing his immitigable eye upon a beauty in the dock at the assizes of Dundalk, with that expression with which the Grand Master is represented to have surveyed the unfortunate Jewess. His friend Mr. Mac Kenna used to observe, that "if William Bellew saw a man hanging from every lamp-post down Capel street, in his morning walk from Great Charles street to the Four Courts, the only question he would ask, would be whether they were hanged according to law?"

Mr. Bellew came with signal advantages to the Bar. He was closely connected with the oldest and most opulent Roman Catholic families, and was employed as their domestic counsel. Their wills, their purchases, and marriage articles were drawn under his inspection. It was, I have heard, not a little agreeable to behold Mr. Bellew going through a marriage settlement, where an ancient Catholic family was to be connected with an inferior caste. In Ireland, as well as in the sister-country, the pride of birth prevails among the Roman Catholic gentry beyond almost any other passion. As in England we find a universal diffusion of cousinship through the principal Catholic houses, so the ancient blood of the Catholics of the Pale has been, by a similar process of intermarriage, carried through an almost uniform circulation.

This pride of birth among the Catholic gentry, when excluded from political distinction, was perfectly natural. Having no field for the exercise of their talents, and without any prospect of obtaining an ascent in society through their own merits, they looked back to the achievements of their ancestors, and consoled themselves with the brilliant retrospect. While a young Irish Protestant threw himself into the field of politics, an Irish Catholic was left without the least scope for enterprise, and had scarce any resource, but to pace up and down the damp apartments of his family mansion, and to commune with the high-plumed warriors of the Pale, who frowned in mouldering paint before him, The young ladies too were

instructed to look with emulation on the composed visages of their grand aunts, and to reverence the huge circumference of hoop in which their more sacred symmetries were encompassed and concealed.

For a considerable time, it was possible to maintain the dignity of the Roman Catholic families without any plebeian intercourse; but at last the pressure of mortgages and judgments became too great, and it was requisite to save the estate at the expense of the purity of its owner's blood. After a struggle and a sigh, the head of an old Catholic house resigned himself to the urgency of circumstances, and yielded to the necessity of intermingling the vulgar stream, which had crept through the grocers and manufacturers of the Liberty, with a current which, however pure, began to run low. A priest, a friend of the family — who, as matrimony is one of the seven sacraments, thinks himself in duty bound to promote so salubrious a rite, is consulted. He gives a couple of taps to his gold snuff-box, tenders a pinch to the old gentleman; protests that there are risks in celibacy — that it is needful to husband the constitution and the estate; and, observing that the young squire, though a little pale, is a pretty fellow, puts his finger to his nose, and hints at a young damsel in New-Row (a penitent of his reverence, and a mighty good kind of young woman, not long come from the Cork convent), with ruddy cheeks and vigorous arms, a robust waist and antigallican toes. The parties are brought together. The effect of juxtaposition is notorious — most of my readers know it by experience. The young gentleman stutters a compliment; the heart of the young lady and her wooden fan are in a flutter; the question is popped. The old people put their heads together. Consideration of the marriage, high blood, and equity of redemption, upon one side; and rude health and twenty thousand pounds on the other. The bargain is struck; and, to insure the hymeneal negotiation, nothing remains but that Counsellor Bellew should look over the settlements.

Accordingly a Galway attorney prepares the draft marriage settlement, with a skin for every thousand, and waits on Mr. Bellew. Laying thirty guineas on the tables, and think-

ing that upon the credit of such a fee he may presume to offer his opinion, he commences with an ejaculation on the fall of the good old families, until Mr. Bellew, after counting the money, casts a Caius Marius look upon him, and awes him into respect. He unrolls the volume of parchment, and the eye of the illustrious conveyancer glistens at the sight of the ancient and venerable name that stands at the head of the indenture. But, as he advances through the labyrinth of limitations, he grows alarmed and disturbed; and, on arriving at the words "on the body of the said Judy Mac Gilligan to be begotten," he drops his pen, and puts the settlement away, with something of the look of a Frenchman when he intimates his perception of an unusually bad smell. It is only after an interval of reflection, and when he has recalled the fiscal philosophy of Vespasian, that he is persuaded to resume his labors; but does not completely recover his tranquillity of mind until, turning the back of his brief, he marks that most harmonious of all monosyllables, "paid," at the foot of the consolatory stipend.

No man at the Bar is more exact, careful, technical, and expert, in conveyancing, than Mr. Bellew. He at one time monopolized the whole Catholic business.

Nor was it to the Roman Catholic body that his reputation as a lawyer was confined. He deservedly obtained a very high character with the whole public for the extent of his erudition, his familiar knowledge of equity and of the common law, the clearness of his statements, the ingenuity and astuteness of his reasoning, and for that species of calm and deliberative elocution which is of such importance in the Court of Chancery.* I look upon Mr. Bellew as a man who has most

* In a book like this, chiefly devoted to legal subjects, it can not be out of place to make a brief statement respecting the British Court of Chancery. Next below the House of Lords, before which come all final appeals — the Chancery Court has jurisdiction. Originally established to moderate the severity and rectify the errors of the other Courts, its proceedings are essentially in *equity*, though, at times, it can act in the capacity of a Court of *common law*, though it can not summon a jury or try facts. Its power has been immense since its establishment, the exact date of which is not known, though it is ascertained that this Court had a separate jurisdiction on the reign of Edward

grievously suffered by his exclusion from the inner bar, from which nothing but his religion could have kept him. It was in the Court of Chancery that his business lay almost entirely;

III., and is believed to have been derived from the rule of the Saxon monarchs, when a party who thought justice was not rendered to him could appeal to the King in Council, for his revision of the case, most of which appeals, as they grew numerous, were transferred to a subject "learned in the law"—usually an ecclesiastic, at that time. This Court (amid other means to defeat and punish fraud, oppression, breaches of trust, and every kind of injustice) can compel a defendant to discover facts which are against his own cause. But the great evil, arising from increase and accumulation of business as well as from the delays of judges, has been the dilatory nature, with the consequent expense of the proceedings requisite to obtain a decision. Under Lord Eldon, who was Lord Chancellor for five-and-twenty years, and who doubted upon the simplest points, though his judgments were excellent when given, the Court of Chancery became a crying evil instead of a substantial good. Expenses and delays ruined many wealthy persons who had come before this tribunal, and it caused many a broken heart, and ruined hope. In Lord Eldon's time, owing to the accumulation of business, the amount of property litigated in Chancery, was eleven million pounds sterling or fifty-five million dollars. When Brougham was in the House of Commons, he repeatedly and strongly contended for the necessity of a Reform in the Court of Chancery. In 1830, Brougham became Chancellor. "There is Brougham," said Sydney Smith, "sworn in as Chancellor at noon, and laying on the table of the Lords, at six o'clock the same day, a Bill for Chancery Reform." A great deal was attempted in this respect—but the Lord Chancellor, who is not only a judge, but also a political leader, as one of the Cabinet, besides having to sit as Speaker of the House of Lords, is unable to do everything, unless he had fifty hands and twice fifty heads. The separation of the judicial from political labors of the Chancery has been suggested, and will probably take place. Lord Brougham, during the four years he presided, disposed of nearly all the arrears of his predecessors, Eldon and Lyndhurst, and cleared off, by prompt adjudication, the cases which originated in his own time and were ripe for decision. His successors (Cottenham, Lyndhurst, and Truro), did not follow in his steps; ill-health, pre-occupation with other matters, and disinclination to labor prevented them. In 1852, during nine months of which Lord St. Leonards was Chancellor, he manifested a strong inclination to reform the Chancery system; his successor, Lord Cranworth, appears disposed to let matters rest as they are. But there is a vast improvement on the system as it was in Lord Eldon's doubtful era. In his time, and greatly against his consent, a Vice-Chancellor was appointed, to assist the Chancellor—there now are *three*, besides two Lord Justices of Appeal, while a great deal of equity business continues to be done by the Master of the Rolls. The delaying course of referring cases to the Masters in Chancery, for inquiry, is in course of change; the number of Masters is lessened, and on the judges themselves will principally rest the immediate inquiry into, and examination of

and in that Court, it is absolutely necessary to have a silk gown, in order to be listened to with ordinary attention. The reason is this: not that Lord Manners pays no respect to any individual who is not in silk attire, but because the multitude of King's Counsel, who precede a lawyer in a stuff gown, of necessity exhaust the subject, and leave him the lees and dregs of the case.*

Mr. Bellew has lived to see his inferiors in talent and in knowledge raised above his head, and it is now his doom, at the end of a cause, to send his arguments like spent shot, after the real contest has been decided, and the hot fire is over. His situation would be very different, indeed, if it were his office to state cases and open important motions, for which no man is more eminently qualified. The whole Bar feel that he labors under a great hardship in this particular, for which a pension of six hundred pounds sterling a-year affords a very inadequate compensation. Mr. Bellew's pension of six hundred pounds has effectually excluded him from all useful interference in Roman Catholic affairs; for, whenever he opposes a popular measure, it is sufficient to refer to his salary at the Castle, in order to excite the popular feeling against him. He has, however, upon this subject, been a good deal misrepresented, and it is only an act of justice to him to state the facts.

The Catholic aristocracy supported the Union. They were led astray by a promise from Lord Cornwallis, and by such an intimation from Pitt as induced him to resign.† I do not

facts. With such "aids and appliances to boot," it is natural to expect that in future, cases will not be before the Court for forty, thirty, or even twenty years: one case was actually undecided after it had been over a century in the Court.—M.

* At the Irish, as well as at the English bar, no counsel is allowed to go over the same line of argument taken by another. Therefore, pre-audience being the right of those who have patents of precedency, or wear the silk gown or the coif, the junior in a stuff gown usually finds the subject exhausted, by previous speakers, before he has an opportunity of speaking. Now and then, a junior makes a hit by coming out with points of law or quoting cases neglected by his seniors—but this is rare.—M.

† There is no doubt that Pitt, when he intrigued to effect the Union, promised that it should be followed by Catholic Emancipation. When he found that George III. would not allow him to fulfil this promise, Pitt at once re-

intend to discuss the merits of the question, but can readily conceive that many a good man might have advocated the measure, without earning for his motto, "*Vendidit hic auro patriam.*"* I am fully convinced, from what I know of the honorable cast of Mr. Bellew's mind, that he never did promote the measure from any sordid views to his own interest. Lord Castlereagh was well aware of the importance of securing the support of the leading Roman Catholic gentry, and the place of assistant-barrister was promised to Mr. Bellew. Whether the promise was made before or after the Union, I am not aware; nor is it of consequence excepting we adopt the scholastic distinction of Father Foigard, in his argumentative assault upon Cherry's virtue: "If it be before, it is a bribe; if it be after, it is only a gratification." At all events, I am convinced that Mr. Bellew did nothing at variance with honor and conscience from any mercenary consideration.

The place of assistant-barrister became vacant: Lord Castlereagh was reminded of his engagement, when, behold! a petition, signed by the magistrates of the county to which Mr. Bellew was about to be nominated, is presented to the Lord-Lieutenant, praying that a Roman Catholic should not be appointed to any judicial office, and intimating their determina-

signed—as it was made, with an impression on his mind, cunningly kept up by the King, that there would be no obstacle, on the part of Royalty, to admitting the Catholics within the pale of the Constitution.—Lord Cornwallis, mentioned in the text, was Lord Lieutenant of Ireland during the insurrection of 1798, and went as plenipotentiary to France, in 1801, in which capacity he signed the treaty of Amiens. His whole public course was distinguished. In 1770, he was one of the four young peers who joined Lord Camden in a protest against the taxation of America, which made Lord Mansfield sneeringly say, "Poor Camden! he could only get four boys to support him"—yet, as a military man, Lord Cornwallis had a command in the American war, where he concluded his operations by being out-generalled by Washington, to whom he surrendered himself and his army. In 1786, he went out to India, as Governor-General and commander-in-chief, where he distinguished himself against Tippoo Saib. On his return, he was made a Marquis, in 1792. He was again sent to India in 1804, where he died, in 1805, aged sixty-seven. He was popular in Ireland, as well as in India, having certainly exerted himself to check the inhumanity of the triumphant royalists. He had no genius, but a great deal of common sense—which is more rare and valuable.—M.

* He sold his country for gold.—M.

tion not to act with him. The government were a good deal embarrassed by this notification; and in order at once to fulfil the spirit of their contract, and not to give offence to the Protestant magistrates, a pension equivalent to the salary of a chairman was given to Mr. Bellew, and he was put in the enjoyment of the fruits of the office, without the labor of cultivation.*

That it was reprehensible to tax the people with an additional pension on the part of the Irish government, out of the miserable dread of irritating a few Protestant gentlemen, can not, I think, be questioned: and but few persons will be inclined to attach any great blame to Mr. Bellew for having accepted of this compensation. It would be very idle, however, to enter into any explanation upon these subjects with the Roman Catholic body, among whom the very name of pensioner, connected as it is with all sorts of back door and postern services at the Castle, carries a deep stigma. No matter how well Mr. Bellew may argue a point at a Catholic assembly; no matter how cogent and convincing his arguments may

* The County judges in Ireland, who virtually preside at Quarter Sessions, while they are supposed only to advise the justices of the peace who sit (ignorant of law) upon the Bench, are called Assistant-Barristers, an appellation which by no means indicates their position and duties. Richard Martin, formerly of the Irish and now of the English bar—a man of great legal acumen, clear and reasoning eloquence, ready wit, and vast personal weight—tells a good anecdote illustrative of this. Henry Deane Freeman, an eminent lawyer, was "Assistant Barrister" in one of the Connaught counties, and went the Munster-Circuit, as a practising lawyer. He was prosecuting a man accused of robbery, who produced as witness to his character, another worthy, instantly recognised by Mr. Freeman, as an old acquaintance. In cross-examination this man was asked, "Have not you stood in the dock, as a criminal?"—The witness sulkily replied, "What's that to you?"—Mr. Freeman; "You must answer me. Were not you tried in Galway for robbery?" Witness: "Well, if I was, I didn't do it."—Mr. Freeman: "Of course not—the number of innocent culprits is immense. Were not you convicted and sent to jail for six months?"—By this time, the witness had recognised his examiner, who, as Assistant-Barrister in Galway, had tried and sentenced him. Turning to the judge, with a side-long look of contempt at Mr. Freeman, he said, *sotto voce*, as if he were confidentially communicating valuable information, "My Lord! you must not mind what that fellow says. He's an imposter. He isn't a real barrister. He's only an *Au*-sistant Barrister, and not worth your notice."—M.

be in favor of a more calm and moderate tone of proceedings; the moment Mr. O'Connell lifts up his strong arm, and with an ejaculation of integrity "thanks his God that he is not a pensioner!" all the Douay syllogisms of Mr. Bellew vanish at the exclamation, and yells and shouts assail the retainer of government from every side. Had he the eloquence of Demosthenes, the clinking of the gold would be heard amid the thunder.

Yet I entertain no doubt that Mr. Bellew has not, in his political conduct, been actuated by any mean and dishonest motive. I utterly dissent from him in his views, principles, and opinions; but I believe that he is only acting in conformity with impressions received at a very early period, which his education and habits tended not a little to confirm. His first opinions were formed at a period when the Roman Catholic aristocracy was actuated by a spirit very different from that which it has lately evinced. Much condemnation has been attached to that body for their want of vigor in the conduct of Catholic affairs. But allowances ought to be made for them. The penal code had, after a few years, ground the gentry almost to powder. They lived in a state of equal terror and humiliation. From their infancy they were instructed to look upon every Protestant with alarm; for it was in the power of the meanest member of that privileged class to file a bill of discovery, and strip them of their estates. At their ordinary meals, they must have regarded their own children with awe, and felt that they were at their mercy.

Swift represents the whole body as little better than hewers of wood and drawers of water. The complication of indignities to which they were exposed must necessarily have generated bad moral influences; and accordingly we find in their petitions and remonstrances a tone of subserviency at which their descendants would blush. Even after the penal code was relaxed, and they were restored to the rank of citizens, they preserved the attitude of humility to which they had been accustomed; and when the load which they had carried so long was taken off, they retained a stoop. At length, however, they stand erect in their country; and, with very few

exceptions, exhibit the same spirit as the great mass of the people.

Lord Fingall, though prevented by his health from taking an active part in public affairs, gives evidence of his assent to the bold and vigorous course of measures adopted by the body, of which he is the hereditary head, by the presence of his son. The latter, Lord Killeen, manifests as much energy and determination, as he does sound sense and admirable discretion.* Lord Gormanstown has thrown himself with enthusiasm into the national cause, and feels the injuries of his country with a deep and indignant sensibility ;† and even Lord Kenmare, whose love of retirement excludes him from the bustle of public meetings, lends to the Catholic Association the authority of his name, and shows that the spirit of patriotism has penetrated the deep woods of Killarney, in which his lordship and his excellent lady (the sister of Mr. Wilmot Horton) are connubially embowered.‡ I should not omit to add,

* The late Earl of Fingall was the Catholic Peer who, at the Royal visit to Ireland in 1821, was made a Knight of St Patrick by George IV. In the poem called "The Irish Avatara," in ridicule of the servility of all ranks and creeds on this occasion, Byron asks

"Will thy yard of blue riband, poor Fingall, recall
The fetters from millions of Catholic limbs?"

The barony of Killeen dates as early as 1181. The Earldom was created in 1628, and Lord Fingall was made a peer of the United Kingdom in 1831. He died in July, 1826. His son, Lord Killeen, who is Lord Lieutenant of Meath, represented that county in 1831, and took a prominent part in politics, before the Catholic Relief Bill was passed, in 1829. He is a Privy Counsellor of Ireland.—M.

† An ancestor of Viscount Gormanstown sided with James II., in Ireland, and after his death William's government passed an outlawry against him for high treason. The title ceased to be legally recognised, but in August, 1800, on proceedings taken in the Court of King's Bench, by consent of the Crown, the outlawry was reversed, and Jenico Preston received a writ of summons as a peer, and is the twelfth Viscount. He took part with O'Connell in the agitation preceding Emancipation.—M.

‡ The ancestor of the Earl of Kenmare received a peerage from James II. which was not recognised, as it was conferred after that Monarch had lost the throne. In 1800, the Earldom was created anew. In 1841, Lord Kenmare was made a British peer. After Emancipation, he took little part in politics, but was a Catholic and a Whig. He died in the autumn of 1853. The Ken-

that Sir.Edward Bellew and his son, who is a young man of very considerable abilities, and likely to make a distinguished figure, displayed during the late election for the county of Louth great public spirit, energy, and determination.

But amid this almost universal change in the general temperature of the country, amid this general ascent of the mercurial spirit of the people, Mr. William Bellew remains at zero. Not the smallest influence is perceptible in the cold rigidity of his opinions. True to the doctrine of non-resistance, he brings up in its support the whole barbarous array of syllogistic forms with which his recollections of Douay can supply him. It is in vain that the rapid progress of the Catholic cause is urged against him: you appeal in vain to the firmness, union, and organization of the people, which have been effected through the Catholic Association: the insurrection of the peasantry against their landlords, and the consequent sense of their own rights with which they have begun to be impressed, are treated with utter scorn by this able dialectician, who meets you at every step with his major drawn from religion, and his minor derived from passive obedience, and disperses your harangue with his peremptory conclusion. Nor is it to speculation that he confines his innate reverence for the powers that be; for after the dissolution of the old Roman Catholic Association by an act of Parliament, when an effort was making to raise another body out of its ruins, of his own accord Mr. Bellew gratuitously published a letter, in the public journals, to demonstrate to the Attorney-General that it would be legal to put it down. In this view Mr. Plunket does not appear to have concurred.

mare estates include some of the finest parts of Killarney scenery, and the Earl, who was not an absentee, was an excellent landlord.—Sir Robert Wilmot Horton, who assumed the latter name on marriage with an heiress—a very lovely woman, upon whom Lord Byron wrote the lines commencing

> "She walks in beauty—like the light
> Of cloudless climes and stormy skies,
> And all that's best of dark and bright
> Meet in her aspect and her eyes;"

was an earnest advocate for Emigration, went to Ceylon as Governor, and died in 1841.—M.

Notwithstanding the censure which I have intimated of Mr. Bellew's political tendencies and opinions, I repeat, and that sincerely and unaffectedly, that I entirely acquit him of all deliberate corruption. His private life gives an earnest of integrity which I can not question. It is, in all his individual relations in society, deserving of the most unqualified encomium. It would be a deviation from delicacy, even for the purposes of praise, to follow Mr. Bellew through the walks of private life. Suffice it to say, that a more generous, amiable, and tender-hearted man is not to be found in his profession, and underneath a frozen and somewhat rugged surface, a spring of deep and abundant goodness lives in his mind.

If in the hasty writing of the present sketch, I have allowed grotesque images in connection with Mr. Bellew to pass across my mind, I have "set down naught in malice;" and if I have ventured on a smile, that smile has not been sardonic. In addition to the other qualities of Mr. Bellew for which he merits high praise, I should not omit his sincere spirit of religion. He is one of those few who unite with the creed of the Pharisee the sensibilities of the Samaritan. Mr. Bellew is a devout and unostentatious Roman Catholic, deeply convinced of the truth of his religion, and most rigorous in the practice of its precepts. The only requisite which he wants to give him a complete title to spiritual perfection, is one in which some of his learned brethren are not deficient; and it can not be said that he "has given joy in heaven," upon the principle on which so many barristers have the opportunity of administering to the angelic transports. One of the results of his having been always equally moral and abstemious as at present is, that his dedication to religion attracts no notice. If another barrister receives the sacrament, it is bruited through town; and at all the Catholic parties, the ladies describe, with a pious minuteness, the collected aspect, the combined expression of penitence and humility, the clasped hands, and the uplifted eyes of the counsellors; while the devout Mr. Bellew, who goes through the same sacred exercise, passes without a comment.

In truth, I should not myself know that Mr. Bellew was a

man of such strong religious addictions, but for an incident which put me upon the inquiry. Upon Ash-Wednesday, it is the practice among pious Catholics to approach the altar; and while he repeats in a solemn tone, "Remember, man, that thou art dust," with the ashes which he carries in a vase the priest impresses the foreheads of those who kneel before him with the sign of the cross.

Some two or three years ago, I recollect the court was kept waiting for Mr. Bellew, and the Master of the Rolls began to manifest some unusual symptoms of impatience, when at last Mr. Bellew entered, having just come from his devotions; and such was his haste from chapel, that he had omitted to efface the "*memento mori*" from his brow. The countenance of this gentleman is in itself sufficiently full of melancholy reminiscences; but when the Master of the Rolls, raising his eyes from a notice which he was diligently perusing, looked him full in the face, he gave an involuntary start. The intimation of judicial astonishment directed the general attention to the advocate; and traced in broad sepulchral lines, formed of ashes of ebony in the very centre of Mr. Bellew's forehead, and surmounted by an ample and fully-powdered wig, the black and appalling emblem. The burning cross upon the forehead of the sorcerer, in "The Monk," could not have produced a more awful effect. The Six Clerks stood astonished; the Registrar was petrified; the whiskers of Mr. Daniel M'Kay, the Irish Vice-Chancellor, stood on end; and while Mr. Driscoll explained the matter to Mr. Sergeant Lefroy, Sir William M'Mahon with some abruptness of tone declared that he would not go beyond the motion.*

* Sir William M'Mahon, appointed Master of the Rolls in Ireland, through the influence of his brother, Sir John, Private Secretary to George IV. when Regent, was anything but a lawyer. Mr. Sheil's first wife was Miss O'Hallaron, niece to Sir William.—M.

MICHAEL O'LOGHLIN.

"Counsellor O'Loghlin, my motion is on, in the Rolls!" "Oh, Counsellor, I'm ruined for the want of you in the Common Pleas!" "For God's sake, Counsellor, step up for a moment to Master Townsend's office!" "Counsellor, what *will* I do without you in the King's Bench!" "Counsellor O'Loghlin, Mr. O'Grady is carrying all before him in the Court of Exchequer!" Such were the simultaneous exclamations, which, upon entering the Hall of the Four Courts, at the beginning of last term, I heard from a crowd of attorneys, who surrounded a little gentleman, attired in a wig and gown, and were clamorously contending for his professional services, which they had respectively retained, and to which, from the strenuousness of their adjurations, they seemed to attach the utmost value.

Mr. O'Loghlin stood in some suspense in the midst of this riotous competition. While he was deliberating to which of the earnest applicants for his attendance he should addict himself, I had an opportunity to take notes of him. He had at first view a very juvenile aspect. His figure was light—his stature low, but his form compact, and symmetrically put together. His complexion was fresh and healthy, and intimated a wise acquaintance with the morning sun, more than a familiarity with the less salubrious glimmerings of the midnight lamp. His hair was of sanded hue, like that of his Danish forefathers, from whom his name, which in Gaelic signifies Denmark, as well as his physiognomy, intimates his descent. Although at first he appeared to have just passed the boundaries of boyhood, yet upon a closer inspection all symptoms

of puerility disappeared. His head is large, and, from the breadth and altitude of the forehead, denotes a more than ordinary quantity of that valuable pulp, with the abundance of which the intellectual power is said to be in measure. His large eyes of deep blue, although not enlightend by the flashings of constitutional vivacity, carry a more professional expression, and bespeak caution, sagacity, and slyness, while his mouth exhibits a steadfast kindliness of nature, and a tranquillity of temper, mixed with some love of ridicule, and, although perfectly free from malevolence, a lurking tendency to derision.* An enormous bag, pregnant with briefs, was thrown over his shoulder. To this prodigious wallet of litigation on his back, his person presented a curious contrast.

At the moment I surveyed him, he was surrounded by an aggregate meeting of attorneys, each of whom claimed a title paramount to "the Counsellor," and vehemently enforced their respective rights to his exclusive appropriation. He seemed to be at a loss to determine to which of these amiable expostulators his predilections ought to be given. I thought that he chiefly hesitated between Mr. Richard Scott, the protector

* Mr. O'Loghlin's appearance was very distinguished. He had clear blue eyes, which almost seemed to smile, if I may so express it. His light hair curled closely and crisply on a head which was beautifully set upon his shoulders. His figure was compact and light, and, as much as any one whom I recollect on the Munster Circuit, his neatness of attire evidenced that he cultivated the graces. In those days, barristers wore neither wigs nor gowns in the Assize Courts, on circuit, and thus every one could notice their "human face divine," without the professional accompaniments which so much change its expression. Mr. O'Connell very frequently wore a green sporting jacket, in the Assize Court—but his usual attire was the "customary suit of solemn black." He was careful, and rather felicitous, in the tie of his white cravat, but, when he warmed in a speech, he used to seize this article of his dress and pull it on one side or the other, occasionally varying the action, by twitching his black wig from right to left, and back again, as if to adjust it properly on his head.—Mr. Wolfe, who subsequently became Chief Baron of the Exchequer, presented a marked contrast to O'Loghlin and O'Connell. He was careless in his attire, wore his garments as if he never had consulted a mirror, and had a habit of thrusting his long hands through his dark hair. He was tall in stature, awkward and angular in his movements, and swarthy in complexion His voice, like that of most Irish barristers, was clear and strong; his utterance good; and his occasional emphacising very effective with juries.—M.

of the subject in Ennis, and Mr. Edward Hickman, the patron of the crown, upon the Connaught circuit. Ned, a loyalist of the brightest water, had hold of him by one shoulder, while Dick, a patriot of the first magnitude, laid his grasp upon the other. Between their rival attractions, Mr. O'Loghlin stood with a look, which, so far from intimating that either of "the two charmers" should be away, expressed regret at his inability to apportion himself between these fascinating disputants for his favors. Mr. Scott, whose countenance was inflamed with anxiety for the numerous clients, exhibited great vehemence and emotion. His meteoric hair stood up, his quick and eager eye was on fire, the indentations upon his forehead were filled with perspiration, and the whole of his strongly Celtic visage was moved by that honorable earnestness, which arises from a solicitude for the interest of those who intrust their fortunes to his care. Ned Hickman, whose countenance never relinquishes the expression of mixed finesse and drollery for which it is remarkable, excepting when it is laid down for an air of profound reverence for the Attorney-General, was amusingly opposed to Mr. Scott; for Ned holds all emotion to be vulgar, and, on account of its gentility, hath addicted himself to self-control.

Mr. O'Loghlin, as I have intimated, seemed for some time to waver between them, but at length Mr. Hickman, by virtue of a whisper, accompanied by a look of official sagacity (for he is one of the crown solicitors), prevailed, and was carrying Mr. O'Loghlin off in triumph, when a deep and rumbling sound was heard to issue from the Court of Exchequer, and shortly after, there was seen descending its steps, a form of prodigious altitude and dimensions, in whose masses of corpulency, which were piled up to an amazing height, I recognised no less eminent a person than Bumbo Green.* He came like an ambula-

* The individual known as "Bumbo" Green, was well known, in the Irish law-Courts, some five-and-twenty years ago. I saw him once—and to see was to remember. He was an attorney in good practice; hailing, I believe, from the west of Ireland. He knew the private affairs of three fourths of the estated gentlemen in the counties of Galway and Clare, and no lawsuit of any importance was entered into, in that part of the world, without Mr. Green being em-

tory hill. This enormous heap of animation approached to put in his claim to Mr. O'Loghlin. Bumbo had an action, which was to be tried before Chief Baron O'Grady against the proprietor of the mail-coach to Ennis, for not having provided a vehicle large enough to contain him. Mr. O'Loghlin was to state his case. Bumbo had espied the capture which Ned Hickman had made of his favorite counsel. It was easy to perceive, from the expression of resolute severity which sat upon his vast and angry visage, that he was determined not to acquiesce in this unwarrantable proceeding. As he advanced, Ned Hickman stood appalled, and, conscious of the futility of remonstrance, let loose the hold which he had upon the Counsellor, while the latter, with that involuntary and somewhat reluctant, but inevitable submission, which is instinctively paid to great by little men, obeyed the nod of his enormous employer, and, with the homage which the Attorney-General for Lilliput might be supposed to entertain for a solicitor from Brobdignag, passively yielded to the do-

ployed, on one side or the other. He was "a noticeable man" (to use Coleridge's phrase)—but chiefly on account of his immense size. The great Daniel Lambert died before my time, so that I can not personally compare him with Bumbo Green;—I suspect that in corporeal extent there could not have been much difference. Mr. Green was the biggest man I ever saw. He was tall, but, from his obesity, appeared below the ordinary stature. He had a smiling, winning manner, and was liked, for his good temper and fun, by every one. To see him attempt to sit down on the attorney's narrow bench was ludicrous in the extreme. What is called "the small of the back" he was not possessor of, and therefore to rest upon a narrow seat was as hopeless a task for him, as it would have been for a cherub—but from quite a different cause, "Bumbo" Green having a redundancy of what cherubs are so deficient in, that it is evident they never can *sit* for their portraits! Bumbo Green flourished in the ante-railway era, and, on a journey, had to occupy and pay for two seats in the stage-coach. On one occasion, he ordered his servant to take two seats for him in the mail-coach from Ennis to Dublin. The man executed the command, but, being a rather green hand, only a few days in Green's employment, committed a trifling mistake. When Bumbo Green went to the coach-office, he found all the inside seats occupied, except one. His servant not knowing his habit, had taken the seats—one outside, and the other within!—Bumbo Green, like nearly all very stout men whom I have ever known, was fond of dancing, and danced lightly too. He had a great many good qualities, and the perpetual sunshine of good temper gleamed brightly over them all.—M.

minion, and followed into the Exchequer the gigantic waddle of Bumbo Green.

But a truce to merriment. The merits of Mr. O'Loghlin, with whom I open this continuation of the Sketches of the Catholic Bar, are of a character which demand a serious and most respectful consideration. He is not of considerable standing, and yet is in the receipt of an immense income, which the most jealous of his competitors will not venture to insinuate that he does not deserve. He is in the utmost demand in the Hall of the Four Courts, and is among the very best of the commodities which are to be had in that staple of the mind. He is admitted, upon all hands, to be an excellent lawyer, and a master of the practice of the courts, which is of far greater importance than the black and recondite erudition, to which so many barristers exclusively devote so many years of unavailing labor. The questions to which deep learning is applicable are of frequent occurrence, while points connected with the course and forms of legal proceedings arise every day, and afford to a barrister, who has made them his study, an opportunity of rendering himself greatly serviceable to his clients. It is not by displays of research upon isolated occasions, that a valuable and money-making reputation is to be established. "Practice," as it is technically called, is the alchemy of the Bar. When it is once ascertained that a lawyer is master of it, he becomes the main resource of attorneys, who depend upon him for their guidance through the mazes of every intricate and complicated case. Mr. O'Loghlin has Tidd at his fingers' ends, and is, besides, minutely acquainted with that unwritten and traditional practice which governs Irish justice; and which, not having been committed to books, is acquired by an unremitting attention to what is going on in court.*

* Mention has been made, in a previous note, of the rates of payment to the judges, varying from eight hundred to one thousand pounds sterling a year (the salaries of Irish Assistant-Barristers, Scottish Sheriffs, and English County Court Judges), to ten thousand pounds sterling per annum, the amount fixed, by Act of Parliament, as the Lord-Chancellor's official income. Those who are accustomed to the present very small remuneration allowed to the occupants of judicial seats in the United States may consider the British payment

It is not to be considered, from the praise bestowed upon Mr. O'Loghlin in this most useful department of his profession, that he does not possess other and very superior qualifications.

as extravagant — especially, as the offices (with the exception of the Chancellorship, which is political as well as legal) are held for life, or during good behavior, which is the same. Added to this is the system of granting pensions or retiring allowances to the judges — amounting to nearly two thirds of their annual salaries — after fifteen years' service or in the event of earlier retirement from ill health. The British plan is based upon a very broad principle — namely, that of tempting the very best lawyers to become judges, by making it worth their while to surrender the great incomes which they can earn at the bar. In Great Britain and Ireland, a lawyer in full practice may earn from three thousand to twelve thousand pounds sterling per annum — some have obtained more. To tempt any of these men, in the prime of life and the fullness of profitable labor, to assume the ermine of the judge instead of the gown of the barrister, there are three or four conjunct inducements. There is a permanent station of honorable rank secured to him who becomes a judge. There is a certain income, which, though far lower than he may have previously earned, is obtained in comparative ease and repose. There is the removal of all doubt as to the future — for a failure of health may assail the most active lawyer, and speedily incapacitate him from future exertion, whereas, when a judge, he may retire after a certain length of public service, provided for, during the residue of life, by the bountiful gratitude of the public, which also provides for his future, in case of his health breaking up. On the bench, it is true, a lawyer does not wholly enjoy "otium cum dignitate," — for the judge, if he do his duty, has no sinecure. But he is removed from the cares, the bustle, the struggles, which are inseparable from the active life of a busy lawyer, and which form the wear and tear of his mind, and he assumes a position of dignified and honorable labor, in the discharge of duties more important than those of an advocate, while they are of a different and less mind-oppressing order. A seat upon the judicial bench, therefore, is the object of a British lawyer's honorable ambition, for which he strives and competes — not by linking himself with any political party, not by descending to canvassing or solicitation, but by knowledge of the laws, by industry, and by unimpeachable conduct. These judicial appointments are virtually held for life, because the becoming entitled to a pension after fifteen years' service, does not necessarily cause a judge to retire at the expiration of that period. For the most part, we find the judges continuing in office to the end. Of late years there have been only two retirements — Erskine (son of the Chancellor) from ill health, and, more recently, Patteson, from deafness. It is to the credit of George III. (who had the good sense, amid much obtuseness, sometimes to take advice) to commence his reign, in 1760, by recommending Parliament to enact that the judges should not be removable, as before, by the demise of the Sovereign cancelling their Commissions. It had been the custom to issue new Commissions, in such cases, and then a judge who had rendered himself obnoxious by independence, might be displaced, as

He is familiar with every branch of the law, and has his knowledge always at command. There are many whose learning lies in their minds, like treasure in rusty coffers which it is a toil to open, or masses of bullion in the vaults of the Bank of Ireland, unfit for the purposes of exchange, and difficult to be put into circulation. Mr. O'Loghlin bears his wealth about him—he can immediately apply it—and carries his faculties like coined money, "*in numerato habet.*" He is not a maker of sentences, and does not impress his phrases on the memory of his hearers; but he has what is far better than what is vulgarly designated as eloquence. He is perfectly fluent, easy, and natural. His thoughts run in a smooth and clear current, and his diction is their appropriate channel. His perceptions are exceedingly quick, and his utterance is, therefore, occasionally rapid; but, although he speaks at times with velocity, he never does so with precipitation. He is extremely brief, and indulges in no useless amplification.

matter of routine, on the accession of a new sovereign. The result has been that, since this independence has thus been established, we have had some remarkable instances where a judge has acted directly in opposition to the desires and interests of the Government. For example, Lord Camden (when Chief Justice of the Common Pleas, in 1763) decided that the Secretary of State had acted illegally, in arresting John Wilkes, on a general warrant—which ought not to be issued except in the urgent case of high treason. So, a few years ago, Lord Chief Justice Denman's denial, as a constitutional lawyer (*in re* Stock dale *v.* Howard) that either House of Parliament had a right to publish libels, as part of their proceedings, and to authorize their public sale. In England, there are few instances of a judge soiling his ermine by truckling to Power. I recollect only two instances in my own time. Once, on the trial of William Hone for publishing parodies on parts of the Bible (his real offence being that he had ridiculed the Prince Regent) when Lord Ellenborough actually *desired* the jury to bring in a verdict of guilty, which they declined doing. The other, during the trial of the Chartist rioters, when Lord Abinger, who tried the case, acted more like the prosecuting counsel than the judge, and roundly abused the prisoners on account of their politics. But in Ireland, where there are corrupt sheriffs and packed juries, partisan judges have not been so rare. That class did not cease with Lord Norbury: it still exists. In questions between man and man, the bulk of the Irish judges have shown praiseworthy impartiality. When it was the Government against the subject, the case sometimes became different. The State Trials of 1844 and 1848, were conducted in a manner which reminded us of 1798, and which would have almost driven England into insurrection, had it occurred there.—M.

There is not the smallest trace of affectation in anything which he either does or says; and it is surprising with what little appearance of exertion he brings all the powers of his mind into play. His points are put with so much brevity, simplicity, and clearness, that he has, of necessity, become a great favorite with the Judges, who give him a willing audience, because he is sure to be pertinent and short; and having said all that is fitting to be said, and no more, has immediately done. He is listened to the more readily, because he is apparently frank and artless; but he merely puts on a show of candor, for few possess more suppleness and craft.

No man adapts himself with more felicity to the humors and the predispositions of the judges whom he addresses. Take, for example, the Exchequer, where, both on the law and equity sides of the court, he is in immense business. He appeals to the powerful understanding, and sheer common-sense, of Standish O'Grady,* in whom Rhadamanthus and Sancho

* Of Standish O'Grady, Chief-Baron of the Irish Exchequer, from 1803 to 1831, a notice has already been given (vol i., p. 135), but an anecdote can scarcely be out of place here. He had a caustic wit, which was the more keen because ever unobtrusive. The quiet manner in which the Chief-Baron would insult a man, barbed the shaft. For example, a certain Mr. Burke Bethell was at the Irish bar. He had ability, learning, eloquence, and industry, but was one of the men who appeared as if born under an evil star, and never could get on. It was stated, and believed, that he took business at any rate — that is, he would initial a brief marked two, five, or ten guineas, as if he had received that amount (for without such proof of payment the taxing-master would strike the item out of the attorney's bill of costs), and accept a fourth of the nominal sum. This had reached the ears of O'Grady, who had never known the want of money, and had a lofty idea of what is called "the dignity of the profession." On one occasion, Burke Bethell had the luck, by some accident, to receive a brief in some small case in which the Crown was seeking penalties, under the Excise laws, from some fiscal delinquent. The Court of Exchequer was the tribunal before which the case was to be tried, Bethell, determined to cut a figure, had somewhat Adonized his attire, and presented himself before the Chief-Baron, who, affecting not to recognise him (wearing the unusual disguise of a clean shirt), surveyed him through his eye-glass, and, stooping down, asked who the gentleman was — with an air like that which Brummell must have worn when he asked his companion, who stopped to speak to George IV., "Who is your fat friend?" — Bethel, with an air of great importance, thus commenced: "My Lord, on this occasion, I have the honor to appear for the Crown." The Chief-Baron, interrupting him, in his

Panza seem combined. He hits the metaphysical propensities of Baron Smith,* with a distinction, in which it would

blandest manner, and with his sweetest smile, interjected, "And, sometimes, I believe, Mr. Bethell, *for the half-crown!*"—On the subject of taking less than the regulation fee or *honorarium*, I recollect an illustration or two. Fitzgibbon, father of Lord-Chancellor Clare, was a lawyer in good practice, and very fond of money. A client once brought him a brief and fee, that he might personally apologize for the smallness of the latter. Fitzgibbon, muttering that they should have intermediately reached him through the hands of an attorney, took both—but looked most gloomily on the very limited amount of the fee. The client sorrowfully admitted the cause for discontent, but added, that it was "all he had in the world."—"Well, then," said Fitzgibbon, "as that's the case, and you have no more, why, I must—*take it.*" Which he did, no doubt.—To match this, there is an anecdote of a certain Mr. Sergeant Cockle, of the English bar, who was accused of the grave offence of having taken a half fee, and even of having accepted part of the money in the copper coin of the realm. The charge duly came before the bar-mess for adjudication, and was fully sustained by evidence. In defence, Cockle briefly said: "It is quite true that I took half a guinea, where the fee should have been a guinea, and that it was made up of a crown-piece, four shillings, two sixpences, and sixpence in copper." There was a great sensation on this confession of the charge. But Cockle went on: "But, gentlemen, before I took the money, I ascertained it was the last farthing the poor devil had, and I appeal to the honorable profession, whether, under such circumstances, taking his last penny from him, I was not quite justified, and have maintained the character of the bar?" It was unanimously agreed that he had done all that a lawyer could do, in such a case, and, honorably acquitting Cockle, the bar-mess inflicted the fine of a basket of claret upon his accuser—the grand rule at all mess-trials being that somebody must be mulcted in the generous juice of the grape!—How different is this merely professional acquisitiveness from the generous feeling of the sailor at Gibraltar, during the early and warlike years of the present century. Landing at "the Rock," with his comrades, all agreed, having plenty of money, that it would be suitable and creditable for each to purchase a gold-laced cocked-hat. On reassembling at night, one man had a silver-laced hat and was immediately denounced (with a promise of early *cobbing*, when they were on board) as a shabby fellow. His protest had all the energy of truth. "Messmates," said he, "I scorn the charge. When I went to the man who sells the gold-lacers, I found that he had not one left. So, I took this silver-lacer, but paid him for it *all as one as if 'twere gold.*" Of course, Jack was honorably acquitted.—M.

* Sir William Cusack Smith, one of the Barons of the Exchequer in Ireland, was a remarkable man. He was born in January, 1766, and died in August, 1836, in his seventy-first year. His father, Sir Michael Smith, was a great lawyer, and finally became Master of the Rolls. The younger Smith studied at Oxford, and there obtained the friendship of Edmund Burke, at whose

have puzzled St. Thomas Aquinas, without the aid of inspiration, to detect a difference: when every other argument has failed with Baron M'Cleland, he tips him the wink, and point-

country-house, in a neighboring county, he passed all his leisure. In 1788, he was called to the Irish bar, and soon after became Doctor of Civil Law, to qualify him for practice in the Ecclesiastical Courts. In 1795, Mr. William Smith was made king's counsel, and entered Parliament in the same year. He strenuously supported the Union, not only by his votes and speeches, but as a pamphleteer. In 1800, he was made Solicitor-General, and in 1802, when his father, who then was a *puisne* Baron of the Exchequer, was raised to the higher dignity of Master of the Rolls (the second equity Judge in Ireland, and not removable as the Chancellor is, on a change of ministry), the younger Smith succeeded him. In 1808, by his father's death, he succeeded to the baronetcy. Sir William Smith, who had studied in the school of Burke, was what is called "an old whig," and strongly advocated the justice and policy of Catholic Emancipation. When this was granted, and the Repeal agitation followed, Sir William Smith denounced it as impolitic, ungrateful, and illegal. Up to that time, he had been in high favor with the Catholic leaders. But, in February, 1834, Mr. O'Connell moved that the House of Commons should appoint a Committee to inquire into Sir William Smith's judicial conduct — mainly complaining that, in his charges to grand-juries at the Assizes, he largely introduced political subjects, and that his habits were singularly at variance with what ought to be the habits of a judge. It was stated by Mr. O'Connell (and not denied) that Baron Smith commonly came into the Court about half-past twelve at noon — that he thus delayed the despatch of business — that, at Armagh, he had tried fourteen prisoners between six o'clock in the evening and six in the morning — that one of these trials had actually commenced long after midnight, and that his whole course was irregular. This *primâ-facie* case against Baron Smith was so strong, that (the whig ministry siding with Mr. O'Connell) the motion for inquiry was carried by a majority of 167 to 74. A week after, however, Mr. Peel and his party reopened the question, defended Baron Smith, accused O'Connell of personal and vindictive motives, and proposed that the vote for inquiry be rescinded — which was done, by a majority of 165 to 159. There is no doubt that Baron Smith's habits had latterly become very eccentric. As a judge he was impartial, and was humane even to a fault. He had a horror of sentencing a culprit to death, and "leant to mercy's side" on the trial of all capital offences. He was attached to letters, and published several pamphlets, chiefly on politics, which are forgotten. He also was author of an examination of the Hohenloe miracles. The only work by which he is likely to be remembered as an author, is a singular production called "Metaphysical Rambles." — His second son, Thomas Berry Cusack Smith, Attorney-General under the Peel administration, conducted the O'Connell State Trials in 1844. He is now (1854) Master of the Rolls, as his grandfather was, and completes the singular instance of three out of one family having successively worn the ermine. — M.

ing with his thumb to the opposite attorney, suggests the merits of the client, by a pantomimic reference to those of his representative; and with the same spirit of exquisite adaptation, plunges into the darkest abysses of black-letter erudition with Baron Pennefather, and provokes his Lordship into a citation from the Year-books (which excruciates the ears of Mr. Furlong) in Tipperary French.

Mr. O'Loghlin is a native of Clare.* I had at first, and before I had made more minute inquiries, conjectured, from the omega in his name, that he must be lineally descended from some of the ancient monarchs of Ireland, or be at least collaterally connected with one of the Phenician dynasties. Upon investigation, however, I discovered that "the big O," the celebrated object of royal antipathy, was but a modern annexation; and that, as I have already intimated, Mr. O'Loghlin

* The late Sir Michael O'Loghlin, it is scarcely too much to say, was one of the best judges that Ireland ever possessed. Able, acute, clear-headed, and thoroughly just, he towered above his fellows. He was born in October, 1789, and though he had immense practice at the bar, was excluded by his religion (he was a Catholic) from obtaining professional preferment as early as he deserved it. When the liberals came into power, after the granting of Emancipation, his talents obtained due recognition. He was made third Sergeant in 1831; second Sergeant in 1832; Solicitor-General in 1834; Attorney-General in 1835; and was made one of the Barons of the Exchequer in 1836—being, I think, the first Catholic judge for one hundred and fifty years. On the Bench he maintained and, if possible, increased the reputation he had won at the bar. All parties and all creeds honored and respected the upright judge, and the urbane and accomplished gentleman. There was a general feeling of gratification, at the bar, and among the public, when, in 1837, he was raised to the dignity of Master of the Rolls. In this capacity, he showed the great grasp of his mind, for, though his bar-practice had chiefly been at *common law*, his decisions in *equity* were irrefragable. In 1838, he was created a Baronet. Sir Michael O'Loghlin died, September, 1842, aged fifty-three. The legal profession of Ireland, who knew his value, raised a large sum for the purpose of erecting a monument to perpetuate their sense of his worth. It has been erected, and consists of his statue, by M'Dowall (an Irish artist), which is appropriately placed in the Hall of the Four Courts, Dublin—the only other statue in that suitable situation being one of Justice, toward which it looks.—Sir Coleman O'Loghlin, educated at London University, and called to the Irish bar in 1840, is eldest son of the late Master of the Rolls, and has already obtained a high reputation. He was employed for the defence, in the State Trials of 1844 and 1848, and acquitted himself with great distinction.—M.

is of a Danish origin. It has often been observed that the face of some remote progenitor reappears, after the lapse of centuries, in his progeny; and in walking through the halls of ancient families, it is surprising sometimes to see, in the little boy who whips his top beside you, a transcript of some old warrior who frowns in armor on the mouldering canvass above your head. There is preserved among the O'Loghlins a picture of their ancestor. He was a captain in the Danish navy. The likeness of this able cruiser off the Irish coast to the Counsellor is wonderful. He was a small, square, compact, and active little fellow, with great shrewdness and intelligence of expression. Domestic tradition has preserved some traits of his character, which show that the mind, as well as the face, can be preserved during ages of unimpaired transmission to the last. He was remarkable for his skill as a navigator. Not a pilot in all Denmark worked a ship better. He sent his light and quick-sailing galley through the most intricate quicksands. His coolness and self-possession never deserted him, and in the worst weather he was sure to get into port. He generally kept close to the shore, and seldom sailed upon desperate adventures. Remarkable for his talent in surprising the enemy, and stealing into their creeks and harbors, he would unexpectedly assail them, and carry some rich prize away. The descendant of this eminent cruiser works a cause upon the same principles as his ancestor commanded a ship. He holds the helm with a steady and skilful hand, and shifts his sails with the nicest adaptation to every veering circumstance that occurs in his course. Sometimes, indeed, he goes very close to the wind, but never misses stays. I scarcely ever saw him aground. He hits his adversary between wind and water, and, when he lies most secure, sails into his anchorage, boards, and cuts him out. It is not, therefore, to be wondered at, that he is in as great practice in the Hall as his forefather was upon the ocean, of whom it is recorded that he—

> "Pursued o'er the high seas, his watery journey,
> And merely practised as a sea-attorney."

FRANCIS BLACKBURNE.

I AM one of those whose political information is derived from a perusal of "The Weekly Register,"* through the ample columns of which I disport myself upon Saturday evening, and refresh myself with news much older than the beverage with which I raise my spirit to the proper pitch of patriotism, in order to wash down the eloquence of the Catholic Association. While others busy themselves in political anticipations, and leave Time panting and toiling after them, I follow him at a distance, and am contented if, upon the eve of the Sabbath, I can collect enough of news to join in the discussions of divers Popish counsellors, who assemble at half past one o'clock to offer their devotions to "our Lady of Carmel," under the auspices of Mr. L'Estrange, in the avenues of Clarendon-street Chapel. In this sacred spot, just after benediction, one may observe a certain convocation of politic lawyers with huge prayer-books, bound in green morocco, under their arms. After years of hebdomadal employment, the golden pages of these holy volumes look as bright and fresh as when they issued from the burnishing hands of the bookseller to Maynooth College, and bear evidence of the care which the pious

* A newspaper of great influence in those days (1827) and for twenty years after. It sided with Mr. O'Connell through the great struggle for Emancipation, and the various efforts to obtain Repeal, by means of a Parliamentary enactment. When Mr. Duffy, in *The Nation*, and Mr. John Mitchel, in *The United Irishman*, advocated the bolder policy of force (argument having wholly failed) the *Weekly Register*, which was opposed to physical force, fell to the ground.—M.

votaries of Themis have taken not to profane them with too frequent an application of their forensic fingers.

But this is parenthetically observed—I was going on to say, that I merely prepared myself upon Saturday evening to talk over the memory of Lord Wellesley with Mr. Farrel; the lamentable increase of crime upon the Munster circuit with Mr. Wolfe;* sacerdotal riots at Birr, and the validity of excommunication with Mr. Cruise; and the recollections of Wolfe Tone† with Mr. Sheil. Such being my indifference to political events, it not unfrequently happens that a great incident takes place of which I do not hear until after its more immediate effects upon the public mind have subsided—until after Mr. O'Connell has ordered a gown of Irish silk in the Liberty; Mr. Sergeant Lefroy has sought the consolations of religion

* Stephen Wolfe, a good lawyer and a liberal man, obtained neither notice nor preferment from the anti-liberal Governments preceding the grant of Emancipation. In 1834, he was made third Sergeant: Solicitor-General in 1836, Attorney-General in 1837, and Chief Baron of the Exchequer in 1838, on the death of Joy. Mr. Wolfe earnestly pressed the Government to appoint Mr. Pennefather, as fittest for this post, and that he (Wolfe) should merely take the puisne judgeship to be vacated by the promotion of Pennefather. But the Government, whose politics differed very much from those of Mr. Pennefather, declared that, under no circumstances, would they consider his claims; whereupon Mr. Wolfe was appointed Chief Baron. He died, June, 1840.—M.

† Theobold Wolfe Tone, actual founder of the "Society of United Irishmen," was born in 1763; called to the bar in due course; published a pamphlet against British mis-government in 1790; and founded the above society in 1793. From that time,

"Per varios casus, per tot discrimina rerum,"

Tone devoted himself to negotiations with the French Government to send men and arms to win back "Ireland for the Irish." One such expedition, under General Hoche, actually sailed, but a hurricane dispersed the fleet (consisting of 17 sail of the line, 13 frigates, &c., with 14,000 soldiers, and 40,000 stand of arms, besides artillery) before it could reach Bantry Bay, in the south of Ireland, and the French Government declined sending another large expedition. A petty armament was despatched, but beaten in a contest with an overpowering British fleet. Tone, who had fought bravely, was captured, tried by a Court Martial, and sentenced to be hanged, which he evaded by suicide. On the publication of Tone's autobiography, seven-and-twenty years after his death, Sheil attempted "to point a [political] moral" from it, in one of his Catholic Association Speeches, and was prosecuted for it by Mr. Plunket then Attorney-General, but never brought to trial.—M.

in the College chapel, and Mr. Sergeant Blackburne, the subject of the present article, has bitten his nails to the roots for having, in a moment of weakness, yielded to the solicitations of Master Ellis, and allowed himself to be debauched so far from his characteristic prudence as to sign the anti-Catholic petition.

I have mentioned this habit of mine in order to account for my surprise at the strange appearance which was exhibited not very long ago by the Hall of the Four Courts, when I was struck by the sudden change of aspect and of manner which several individuals had, in the course of a few hours, undergone. Had I been acquainted with the news which had that morning arrived in Dublin, I should not have wondered at the transformation of the loyal portion of the bar; but I should have been prepared for something extraordinary, for, in my way to the Hall, I observed Mr. Secretary O'Gorman coming down Mass-lane, and just as he turned the corner, Mr. Peter Fitzgibbon Henchey (although Mr. Saurin and the Chancellor happened at the moment to be passing!) gave a look of unqualified recognition to the great plenipotentiary, which was returned with an air of official affability which became so eminent a functionary as Mr. O'Gorman.

The appearance of the latter gentleman, indeed, was sufficient to intimate that some momentous incident had taken place. Upon occasions of great importance, Mr. O'Gorman puts on a pair of white silk stockings, striped with black, such as he observed to be worn by Lord Grey, when the Secretary attended the Catholic Deputation.* The hosiery of the ultra-patriot Earl struck the fancy of Mr. O'Gorman, and ever since, upon great occasions, I have observed a fac-simile of his Lordship's stockings distended upon the herculean symmetries of the Irish orator; and it must be owned that, being a little spattered, and not much the better for the wear, they are not a little emblematic of some part of Lord Grey's recent

* The descent upon England, of O'Connell, Sheil, and others forming "The Catholic Deputation," in the spring of 1825, is the subject of one of the following Sketches—certainly inferior to none in personal, as well as in political interest. O'Gorman was secretary to the Irish Catholics.—M.

parliamentary conduct.* The conjecture which I had formed from the Catholic Secretary's inferior habiliments was confirmed by the cognizance which was taken of him by Mr. Henchey, who, although his ancestors were deprived of their estates in the county of Clare for their creed, is now a devout adherent to the Chancellor's religion.

Mr. Henchey has three manners of recognition. If he walk to court, and meet a junior counsel, who has held a brief with him in the matter of Lord French a bankrupt, this gentleman, who has inherited his prenomen from Lord Clare, gives a nod of rather equivocal intimacy, in which the consciousness of his own consequence is not altogether merged. If Mr. Henchey has started on horseback from his splendid residence in Merrion-square (which was once the town mansion of Lord Wicklow), with a servant riding in gorgeous livery on a prancing palfrey behind him, he throws a casual look upon his pedestrian brethren, and following those canons of conduct, which Malvolio lays down for himself upon his anticipated elevation, "quenches his familiar smile with an austere regard of control." But when Peter Fitzgibbon Henchey, one of his Majesty's counsel at law, seats himself in his carriage, and rolls in all the pomp of legal state along the rattling pavement of Nassau street, he would be a bold man indeed, unless placed in immediate vicinage to the bench, who, by any intrusive salutation, should attempt to disturb Peter's meditations on his own dignity, and seek to attract an eye, that, bordered with deeply-pursed and half-closed lids, seems to be abstracted from all external objects, and to have fixed itself in an inward contemplation of the importance of the eminent person in whose solemn and mysterious visage it is awfully and profoundly set. Recollecting the habits of Mr. Henchey, when I observed a person hitherto so conspicuous for his loyalty, according to the sense attached by Lord Manners to the word, even in the presence of the Chancellor, leaning from the window of his carriage, and suddenly recovering his natural faculty of telescopic vision, waving his hand to the Secretary of all the Cath-

* The late Lord Grey's determined and personal opposition to Canning, the liberal Premier, in 1827.—M.

olics of Ireland (Mr. Henchey's nearest relatives inclusive), I concluded that something marvellous must have happened.

I entered the Hall of the Four Courts, and found in the looks of Barclay Scriven, who was sitting on the basement of one of the pillars, a farther ground for surmise. A few days before he was in the height of hilarity, when Master Ellis was putting the anti-Catholic Petition into circulation, with the assistance of a young gentleman, whose aunt *ex-parte paternâ* is the abbess of a convent. But now Barclay Scriven would have furnished Cruikshank with a model for a burlesque of Ugolino. He formed a strong contrast with Sergeant Goold, whom I observed tripping it on a toe (which, although no longer light, is still fantastic), with a renovation of his former alacrity, around the Hall. He has been lately looking a little autumnal, and has fallen into the sear, the yellow leaf. He is no longer what he was, when he danced a pas-seul in the vagaries of his youth at Fishamble street; for although he retains his gracefulness of attitude, he has sustained some diminution of agility, and is no longer so well qualified to dispute the palm with the "god of dance" upon the stage. But now his vivacity seemed to be in a great measure restored. He looked as if he had been newly boiled in Medea's caldron, or had received from Mr. Godwin a recipe for everlasting youth, and had started back some twenty years to life again.* I was de-

* William Godwin's striking romance of "St. Leon" (the interest of which turns on the hero having obtained the *elixir vitæ*, which was to give perpetual youth, and become master of the art of transmuting the meaner metals into gold), will be recollected, by posterity, when his "Political Justice" is forgotten. That work, the boldest piece of republicanism ever published in England, made Godwin a marked man during the greater part of his life—long after he had laid politics aside. He published "St. Leon," in 1799, and wrote several other works of fiction. He died in April, 1836, aged eighty, and for the last five years of his life, had a competency from a small sinecure place to which Lord Grey's Reform Administration had appointed him.—Mary Wolstoncroft who wrote the once famous "Vindication of the Rights of Women," was his wife (she had previously lived with him, "on principle," as his mistress), and died in giving birth to a daughter, who is known in the world of letters, as the wife of Percy Bysshe Shelley, the poet (who was drowned, July, 1822), and was herself a distinguished writer, as her "Frankenstein" shows:—she was born in 1797, and died in 1851.—M.

lighted at the favorable appearance in this able and honest man, who has been uniformly faithful to his country, and never sacrificed his principles to his interests by the abandonment of a cause in which he enlisted in the enthusiasm of his youth, and has since adhered to with a constancy which no temptation could ever disturb.

The next individual of note whom I observed was Mr. Sergeant Lefroy. His eyes were fixed on the ground. This was not unnatural, nor inconsistent with the angelic nature, for we are told by Milton, that there was a spirit

"Whose looks and thoughts were always downward bent;"

and who was occupied in admiring

"The riches of Heaven's pavement, trodden gold."

The way to Heaven, if we may form a conjecture from the lives of the devout, would appear to be composed of the same materials as its pavement. I at first thought the Sergeant was engaged in his usual celestial occupation; but looking more attentively, I observed that the gloom of worldly solicitude was mixed with the consciousness of his being in the enjoyment of those rewards of piety which are promised, in the Old Testament, to the servants of the Lord. I thought the pious jurisconsult looked deeply melancholy; perhaps I was mistaken, and he was only revolving a point of casuistry for the approaching college election, and preparing to demonstrate the proposition which he afterward broached, that "no man at an election is bound by a promise to a candidate, where the safety of religion is at stake."

I had scarcely passed this eminent theologian, when I saw Judge Moore* entering the Court of Common Pleas, and, observing in that truly liberal and patriotic judge (who has approved himself on the bench the foe to faction, consistent with the principles which rendered him, in the worst times, the dauntless friend of Ireland and of Henry Grattan), a joyous and unaccustomed spirit, I concluded that something fortunate for his country had taken place.

This impression was strengthened when I noticed Peter

* This is not the present Justice Richard Moore, of the Queen's Bench.—M.

Burrowes, as he came in an opposite direction into the Hall, with that aspect of heart-contentedness which he is sure to manifest whenever the interests of Ireland are likely to be promoted Availing myself of some acquaintance with this veteran in the cause of Whiggism, I advanced toward him, and inquired whether some extraordinary news had not arrived. Mr. Burrowes is a remarkably absent man, and not having heard my question, stood in revery beside me, muttering an occasional word or two, when I repeated my interrogatory.* He was

* Peter Burrowes was born in 1753 and died in 1843, having reached the age of ninety, retaining his mental faculties to the close. In 1774, he entered college, and won a scholarship, by sound and varied learning, in 1777. He was a frequent speaker in the Historical Society, where his good sense and sound information were highly estimated. He was of a sluggish temperament, a heavy manner, and an ungainly person — but independence was to be achieved, and he was assiduous and persevering. In 1785, he was called to the Irish bar, and obtained his first honors in 1791, as counsel for Sir Lawrence Parsons (afterward Earl of Rosse and father of the astronomer and present President of the Royal Society of London), who had been a candidate for the representation of the University and had been defeated, it was averred, by Provost Hutchinson unduly using his influence for his own son. Continuing to win reputation at the bar, Burrowes did not receive a silk gown, owing to an impression on the part of Government that he was friendly to the United Irishmen — an impression which was not hastily removed. He finally obtained the honor and was one of fourteen King's Counsel who signed a public protest, in December, 1799, against the proposed Union. He sat in the last session of the Irish Parliament. In 1806, he received the lucrative appointment of Counsel to the Commissioners of Customs, but had to resign it, when "All the Talents" quitted office. His future course was one of hard labor, for his strong liberal opinions excluded him from preferment at the hands of a Tory Ministry. In 1822, when Plunket was made Attorney-General, he had Burrowes made Commissioner of the Insolvent Debtors' Court, the large salary of which set him at ease for the rest of his life. He eventually retired on a pension of sixteen hundred pounds sterling a year. He was convivial and witty in private: earnest rather than eloquent at the bar. Yet, some of his touches were good. In one case, where a man, who had been flogged nearly to death in 1798, brought an action against the High Sheriff who ordered the torture to be inflicted, when the jury laughed at a jest arising out of the cruel details, Burrowes indignantly exclaimed, "Ay, gentlemen, *you* may laugh, but my client *was writhing*."— In the case of a young lady who had suffered the worst wrong, in 1798, from a troop of brutal yeomanry, Burrowes thus described the victim's entry into Waterford: "The shades of evening fell, as this young creature, foot sore, and alone, entered with a palpitating heart, that greatest of wildernesses — a great city." This is simple and pathetic, as well as sublime in its simplicity.— His absence of mind has

awakened to a perception of the objects around him—a finely-illuminated smile succeeded the broad gaze of vacancy with which his eyes were at first fixed upon me, and he exclaimed, "Why is not Grattan alive to-day!"

I was about to ask for some more explicit information, when, fortunately, my friend Eccles Cuthbert came up, and having an equal talent and propensity for narration, put me, with great clearness and volubility, in possession of the news, and informed me of the revolution in the Cabinet. "In short," said Mr. Cuthbert (a phrase of which this excellent Whig is somewhat inappropriately fond)...But before Mr. Cuthbert had concluded a sentence which commenced with this intimation of brevity, Mr. Sergeant Blackburne walked by. The moment I saw him, I interrupted Mr. Cuthbert, and assured him that, "if I had entertained any skepticism with respect to his intelligence, the aspect of the Sergeant would set all my doubts at rest.

"Yea, this man's brow, like to a title-leaf,
Foretells the nature of a tragic volume."

The Sergeant was changed indeed. A little while before, when the party under whose banners he had enlisted himself, confidently anticipated the expulsion of Mr. Canning from the Cabinet, Mr. Sergeant Blackburne exhibited as much alertness as his grave and sedate nature permitted him to wear. His

been mentioned in a previous note. On a trial for murder, it was important to the prisoner that the bullet found in the wound should be produced. It was handed to Burrowes, who was occasionally taking a lozenge for a hoarseness. In the middle of his speech he paused, and suddenly exclaimed, "O Lord, I have swallowed the bullet by mistake."—He was found shaving opposite a wall on which there was no mirror. "Sir," said the servant, who was asked where it was, "my mistress had it removed six weeks ago!"—Plunket, once at a festive entertainment, said, "Although I am about proposing the health of Peter Burrowes, I am not inclined to conceal his faults, much less to describe him as faultless. I will not dwell upon his minor peccadilloes, but shall only allude to those by which he is continually offending. I know no man who has more to answer for. He has spent his life in doing acts of kindness to every human being but himself. He has been prodigal of his time, of his trouble, of his talents, of his money, to every human being who had or had not a claim, and this to the serious neglect of his own interests. In short," added Plunket, "I can only account for such an anomaly as this, by supposing him *utterly destitute of the instinct of selfishness*."—M.

habitual composure, and the sort of "wilful stillness" which he successfully entertains, had given way to an unaccustomed spirit, and it was manifest that all his thoughts had been put into an agreeable and pleasurable movement. He never wanted brilliancy of eye; but he had been used to subdue its expression with a certain solemnity of aspect, which made him look as if he were rehearsing the part of a judge, long before it should come to his turn to perform the part. Thus he had contrived to invest features, which, with the exception of his eyes, are rather of an ordinary cast, with an important soberness and an aspect of not undignified meditation. His figure, although below the common height, and of broad and quadrangular dimensions, was stiffened into a kind of stunted stateliness that gave him an imposing and somewhat authoritative deportment. His walk and gesture were always in measure with the march of his steady and uniform mind, which was never betrayed into any unseemly precipitation. Such was the ordinary man; but he was now entirely altered. The fire of his eye had gone out; his walk was loose, slouched, and irregular; restlessness and inquietude were apparent in the whole frame and body of the man, and dejection, mingled with the fretfulness of disappointment, spread over his countenance. He seemed to have been reduced an inch in elevation, and to have shrunk back from his artificial altitude into himself. How changed from him who not long before, amidst the orgies of the corporation, with his cup overflowing with claret, announced himself, amidst the acclamations of inebriated aldermen, to be the champion of the church and state! Peter Burrowes, who is full of the milk of human kindness, though it occasionally turns a little sour, fixed upon him his vast blue eyes, which would fitly provide a brace of Cyclops with the orbs of vision, and exclaimed, in his usual tone of rough and hoarse benevolence, "I pity Blackburne!"

The Sergeant's mistake in signing the anti-Catholic Petition might have excited the commiseration of Mr. Burrowes; but it produced in the public, on account of its imprudence, more surprise than sympathy. For my own part, I was not at all astonished at the last step taken by Mr. Blackburne, because

it was in perfect consistency with the first which he adopted when he crossed the threshold of his profession.

He was called to the bar about the time that the celebrated John Philpot Curran was made Master of the Rolls.* A

* When the Whigs came into office, in 1806, on the death of Pitt, they appointed John Philpot Curran to the bench, as Master of the Rolls, which office he held until 1814, when he resigned, on a pension of three thousand pounds sterling, and resided from that time chiefly in London, where he died, in 1817, aged sixty-seven. He was by no means a good equity judge, and considered himself unfairly used by not being made Attorney-General, for which his familiarity with common law qualified him, and from which office (had his party remained in power, which was not the case), the natural transition would have been to the Queen's Bench, Common Pleas, or Exchequer, as Chief Judge. Curran, born in 1750, of poor parents in the County of Cork, was educated by a benevolent clergyman, named Boyce (ever let us record the names of good-doers) who strained his own limited means to send him to college and get him to the bar. Fortuneless, and nearly friendless, Curran's early struggle, ere he obtained law-practice, was bitter and painful. But his talents brought him on. He entered Parliament, and won repute there. He was the advocate of nearly all the persons charged with political offences, during the last eight years preceding the Union (which he opposed), and his forensic eloquence, on these occasions, excited general admiration. His fearlessness as an advocate injured him at the bar, for Lord-Chancellor Clare let it be seen that Mr. Curran and his arguments had no favor with *him*, but gave him immense popularity. His appeals to juries were powerful, beyond any conception which can be formed from his published, but uncorrected Speeches. In one case, where a clergyman named Massey sued the Marquis of Headford (an Irish peer, nearly, but not quite as wicked as his almost namesake, the English Marquis of Hertford) for seduction of his wife, Curran — who had himself sustained a similar wrong — pleaded so powerfully that the jury returned a verdict of Ten Thousand Pounds sterling against the "noble" Adulterer. Curran's conversational were equal to his oratorical powers. His *bon mots* are widely known. Byron, who only knew him in his later years, when the wine of life was on the lees, chronicled his impressions in his private journal: "His imagination is beyond human, and his humor (it is difficult to define what is wit) perfect. He has fifty faces, and twice as many voices, when he mimics. I never met his equal." Again: —"Curran, Curran's the man who struck me most. Such imagination! There never was anything like it." And, further on: "I have heard that man speak more poetry than I have ever seen written, though I saw him seldom, and but occasionally."—Curran was small in statue, swarthy in complexion, and with an Irish face, in which brilliant eyes redeemed everything. Phillips thus sketches him, in 1805, as he appeared in the Hall of the Four Courts: "Mark well that slight, short figure, with restless gait, and swaying motion, and speaking gesture—he with the uplifted face, protruded upper-lip, and eyes like liv

meeting of the bar was held for the purpose of presenting to Mr. Curran a congratulatory address. When this assembly had been convened, and after some of the most eminent persons in the profession had delivered their opinions, a young gentleman drew upon himself the general attention by coming deliberately forward and opposing the motion to offer a tribute of respect to a man whose genius had reflected so much honor upon his country, and in whose speeches passages are to be found which rival the masterpieces of eloquence in ancient language. It would not have been extraordinary if some hoary pleader, actuated by political prejudices operating upon a naturally narrow mind, which had undergone still greater contraction in the inferior departments of the profession, had opposed the tribute which it was intended to offer to the most renowned advocate at the bar: but it excited no little surprise, that a man who was not old enough to have personally mingled in the ferocious contests of the civil war (during which Mr. Curran had displayed an intrepidity which excited the animosities of the successful party), and whose mind ought to have been susceptible of the impressions which the eloquence of Mr. Curran was so well calculated to produce upon the young and sensitive, should have tendered himself as a volunteer to the faction of which that great speaker was the antagonist, and had earned his best honors in their hate.

The boldness of this proceeding was quite sufficient to attract notice. Every eye was fixed upon this juvenile and unknown dissentient from the great body of the bar. They saw a formal and considerate-looking person, with a gravity far beyond his years, advance with perfect coolness and self-possession; and while they condemn the feelings by which he

ing diamonds."—Curran was fortunate in his biographers. The volume, by Mr. O'Regan, published soon after his death, is chiefly anecdotal. His son, William Henry Curran, wrote an excellent Memoir, in two volumes, long out of print, and Charles Phillips' "Recollections of Curran" (re-cast and much extended, in 1850), supplies a vast quantity of information about the man, his times, and his contemporaries.—The address from the bar, on his appointment as Master of the Rolls, mentioned by Mr. Sheil as opposed by Mr. Blackburne, was very brief, and while it congratulated him on his promotion, complimented him on the public grounds of his ability, independence, and integrity.—M.

was instigated, they could not but perceive that he had qualifications which were calculated to raise him to great eminence in his profession. His enunciation was perfect; every tone was mellow and musical, and the cadences marking his flowing and unelaborated sentences, manifested the finest sense of harmony, and a peculiarly rhythmical elocution. To those external qualities was added an easy, round, graceful, and unstudied gesture. Although he took the side upon which many angry and vindictive passions were marshalled, yet he betrayed none of the violence of political detestation. He was throughout calm, sober, and subdued, and displayed that clearness in statement, and that faculty for methodical exposition, which have since so much contributed to his great success in his profession. It was painful to see Mr. Blackburne, exhibiting at the same time so much ability, and so little sense of the transcendent merits of the celebrated person whose laurels he endeavored to blight. This step was the subject, I have heard, of general comment. It was considered a decided intimation of the course in politics which the young gentleman intended to take, and his promotion under a Tory ministry was generally anticipated. This precocious disposition to sustain the "ascendency," might, to use Rosalind's illustration, be compared to a medlar; and it might have been not unhappily said to Mr. Blackburne, by any lover of quotations, "you will be the earliest fruit in the country: for you'll be rotten, ere you be half ripe, and that's the right virtue of the medlar."

Mr. Blackburne, however, did not fulfil the anticipations which had been formed in his regard, notwithstanding this unequivocal intimation of his political predilections. He got rapidly into business, and wisely dedicated himself exclusively to it. In a short time his first exploit was forgotten; and as the Irish Catholics are disposed to consider all those who are not ostensibly against them, as with them, a notion crept gradually abroad that Mr. Blackburne had leanings to the liberal side. However, as he did not interfere, little was said with respect to his political opinions, and his efficiency in his profession caused both Catholic and Protestant solicitors to make large contributions to his bag. To his admirable manner

he owes much of his reputation. He has a finer voice than any man at the bar, and has an ear so accurate, that the nicest analyzer of tones could not detect the least deviation from harmony in his utterance, which is so perfect, that Doctor Spray, of Christ church Cathedral [Dublin], who was master of the science, used to declare that he could set his intonations to music. The Sergeant himself is an excellent singer, and passionately fond of that accomplishment in others. It creates no little surprise among persons who are not aware of his being possessed of this talent, when, hearing on a sudden a peculiarly rich and sweet voice breathing in delightful tones one of Moore's enchanting melodies, they turn round, and find in the musician no other than the grave and solemn person, whom they may have seen in the morning engaged in a controversy respecting the form of a notice with his Honor the Master of the Rolls.

But it is not to manner that the merits of Mr. Blackburne are confined. Although I do not consider him as by any means so ingenious and astute as Mr. Pennefather, who unites almost every qualification which can be desired in an advocate, yet Mr. Blackburne is surpassed by no man at the bar in perspicuity; and while he renders subjects the most difficult and entangled, perfectly simple and clear, he, at the same time, avoids a defect sometimes incidental to the talent for exposition, and is by no means lengthy and prolix. It would be wonderful, if, with these faculties, he had not succeeded; and accordingly in a few years we find him in the foremost rank of the Chancery Bar. I have mentioned that he observed a systematic abstinence from all political discussion, in the interval which was employed in scaling the heights of his profession; but shortly after the arrival of Lord Wellesley as Lord-Lieutenant, the extension of the Insurrection Act over several of the southern counties, and the provision contained in that statute, that a barrister, holding the rank of King's counsel, should preside over the deliberations of the magistrates, brought Mr. Blackburne again upon the political stage. A most favorable opportunity of recommending himself to Government was presented by the refusal of Mr. Penne-

father to undertake the ungracious office of putting this curfew law into execution; and Mr. Blackburne verified the maxim, that men are often more advantaged by the omissions of others, than by any desert of their own. Mr. Pennefather was pressed by Government to proceed to one of the disturbed districts, invested with Proconsular authority; but that gentleman, not liking the occupation, and being besides in bad health at the time, declined the honor intended to be conferred upon him. This refusal gave, I believe, some offence, and afforded an excuse for not promoting Mr. Pennefather to the place assigned to him by the unanimous suffrages of the profession.

An application was made to Mr. Blackburne to undertake the duties which had been declined by Mr. Pennefather, and the proposition was immediately acceded to. It were unjust not to state that, in this new employment Mr. Blackburne acquitted himself in such a way as to give satisfaction to the Government and to the public; for while he manifested a proper zeal in quelling insubordination, he restrained the ferocious passions of the exasperated gentry, and prevented this iron implement of oligarchical dominion from being converted into the means of gratifying individual animosities, and promoting the sordid or tyrannical views of every needy or vindictive justice of the peace.

It is said that Mr. Blackburne, not only by his conduct, but by his despatches to Lord Wellesley, raised himself not a little in the estimation of the Marquis, and the subsequent intercourse between them improved the impression which had been previously made. Lord Wellesley is fond of the echo of his own voice, which comes back to him in an important reverberation from the halls of the viceregal palace; and Mr. Blackburne, who, although a good speaker, has upon proper occasions a great talent for silence, and has a fine listening eye, in the audiences which he gave Lord Wellesley, afforded that distinguished nobleman the best proofs of attachment to his sovereign, as evinced by his admiration of his representative. Accordingly, when the office of Sergeant became vacant, while the Bar pointed to Mr. Pennefather as best entitled to promotion, the Government, at, it is believed, the instance of Lord

Wellesley, selected Mr. Blackburne. Although many regretted that Mr. Pennefather, whose manners render him as popular as his talents make him conspicuous, had been passed by, yet the appointment of Mr. Blackburne gave satisfaction, as he is indisputably a person of great merit, and has not yet completely enrolled himself under the banners of a faction. Mr. O'Connell, who carries about him the credulity of good-nature, believed that the new Sergeant was favorable to Emancipation, and announced his promotion as an auspicious circumstance; but those who remembered his first entrance upon the political theatre, did not permit themselves to be so readily led astray.

An event soon after occurred, which showed pretty clearly the bearings of Mr. Blackburne's inclinations. At a civic dinner, he delivered a speech, in which he intimated his strong Protestant predilections.* I do not, however, attribute this display of unanticipated loyalty to any ebullition of feeling upon the Sergeant's part. There can be no doubt that, previous to the recent resignation of Mr. Peel and the Protestant portion of the Cabinet, it was rumored, among the circles of their supporters in Ireland, that Mr. Canning would be ejected from power. This opinion gained ground every day, and grew

* The mild, temperate, and humane disposition of the Orange body may be surmised from the charter-toast of the association, drunk with great solemnity and joy, at civic feasts and on the first day of July (anniversary of the Battle of the Boyne) every man kneeling as he repeated the words — said to have been put together in 1689. The toast ran thus: "The glorious, pious, and immortal memory of the great and good King William, who saved us from pope and popery, brass money and wooden shoes. He that won't drink this toast, may the north wind blow him to the south, and a west wind blow him to the east; may he have a dark night, a lee shore, a rank storm, and a leaky vessel to carry him over the ferry to hell; may the devil jump down his throat with a red hot harrow, that every pin may tear out his inside; may he be jammed, rammed, and dammed into the great gun of Athlone, and fired off into the kitchen of hell, where the pope is roasting on a spit and the devil pelting him with cardinals!" The Catholics, and liberal Protestants who refused to drink this toast, which was a standing dish, late in the evening, after the dinners of Dublin and other Corporations, were incontinently declared, from such recusancy, to be "bad subjects." Not only ignorant yeomanry and country gentlemen, but nobles, prelates, and princes (for the Duke of Cumberland was Grand Master of the Orangemen!) used to drink this toast, and swear to stand by the order — when they were too far gone with drink to stand by anything else. — M.

into a sort of certainty, when the anti-Catholic Petition was presented for their signatures to the bar. The crisis of Sergeant Blackburne's fate had arrived. There is generally in the life of every man some one incident which is the hinge of his destiny, and the Sergeant had touched that cardinal point. By joining the Protestant party, he would have given himself, in the event of their success in the bold experiment which was then in contemplation, a strong title to their patronage, and might ultimately have attained the highest honors which it is in the power of Government to confer. He did not resist the allurements which were held out to him; and, giving way to those original propensities which he had manifested in the early period of his life, and acting partly upon calculation, in an unluckly hour he attached his name to Master Ellis's petition.

But for this injudicious step, it is likely that Sergeant Blackburne would be Solicitor, and in a short time Attorney-General, for Ireland. Upon the former office having become vacant, his friends strongly insisted upon his pretensions; but it was urged, and with great truth, that to promote a decided and avowed enemy to Emancipation, would be at variance with the principles on which Mr. Canning's administration was built, and would excite the indignation of the Catholic body, whose passions it was so much the interest of the new Ministry to assuage. The consequence was, that Mr. Sergeant Blackburne was put aside, and Mr. Doherty, who, besides being the friend and relative of the Prime Minister, is member for the city of Kilkenny, was named by the Cabinet as successor to Mr. Joy.

Sergeant Blackburne is an eminent lawyer;* and for calm

* The reputation of Mr. Sergeant Blackburne (and his strong political bias), caused him to be made Chief Justice of the Queen's Bench, in which capacity he presided over the trial of Mr. Smith O'Brien, for high treason, at Clonmel, in 1848. In 1852, when the Earl of Derby formed an administration, he raised Blackburne to the Chancellorship of Ireland, for which his former practice in Equity, with the inclination of his mind and the particular range of his legal acquirements, had well qualified him. As he was only nine months in that office, he had little opportunity of "making his mark" upon the public mind, but the clearness of his intellect, the extent of his knowledge, together with his patience and good temper (requirements so essential in a judge), impressed

discussion of questions of equity, exhibits in mind and manner a most happy aptitude · but he never enjoyed any very considerable reputation as a public speaker, and, in addressing a jury upon any topic of importance, as well as in the cross-examination of witnesses, being very inferior to Mr. Doherty, is by no means as well qualified as that gentleman to render the Crown efficient service. If any state-prosecutions should be instituted, the accused would find in Mr. Doherty a far more dangerous assistant of the Attorney-General than the learned Sergeant. Of the fitness of the latter of those two gentlemen for this important office, I had a recent occasion to form an accurate estimate.

The last assizes of Clonmel [1828] presented a dreadful miscellany of the most barbarous crimes, most of which were of an insurrectionary character, and required the exercise of the strongest powers of the law. There were not less than three hundred and eighty prisoners upon the calendar, from which Judge Burton seemed to recoil in dismay. The Government felt that it was necessary to do their utmost in order to repress so alarming a growth of crime; and with a view to the production of effect, and in order to give the administration of justice more impressiveness, deemed it advisable to send Mr. Sergeant Blackburne as special counsel for the Crown. He accordingly arrived in Clonmel at the commencement of the Assizes; and, as he enjoyed no ordinary reputation, his mission had the desired effect, by drawing the general attention to the cases which he conducted.

I felt a good deal of interest in some of the most important of the prosecutions, and had a particular opportunity of observing Mr. Blackburne. Upon the first day of his appearance he availed himself of the right of the Crown to address the jury (although that privilege is denied to the prisoner against whom a speech is directed!), in order to present a picture of the

the legal profession who naturally can form the truest opinion on such a point, with respect and admiration. Mr. Blackburne was offered a peerage, on his appointment, but declined it. When the Derby Ministry broke up, Mr. Blackburne resigned office—taking the usual retiring pension of four thousand pounds sterling a year. He was succeeded, in December, 1852, by Mr. Maziere Brady, whom he had displaced nine months previously.—M.

general condition of the county. This was a noble opportunity for genuine eloquence. The best materials that can be well conceived for a powerful harangue were gathered together. The county was almost in a state of insurrection. Armed bands of peasants traversed the country in the open day, and put to death in the face of the sun whoever presumed to violate the code of regulations which they had arbitrarily imposed, under the authority of their invisible chieftain, Captain Rock. During the assizes themselves, two murders were committed, and Mr. Lanigan, the land-agent of Lord Landaff, was fired at by a party of forty men. The evils by which the county was actually afflicted were in themselves sufficiently alarming, without looking into ulterior results; but it was impossible not to reflect upon the consequences which might ensue from the political and moral state of a famished and ferocious population, provided with arms, regularly organized, and acting upon systematic principles of insubordination.

Independently of the general aspect of the county, which opened such a wide field to a powerful speaker, the individual case in which he addressed the jury was one of the most appalling that can be imagined, and attended with circumstances of strangeness as well as of atrocity, which furnished an occasion for the noblest oratory. Eighteen individuals had been burnt alive in one of the dark and lonely glens of the mountain of Slievenamaun, and the chief perpetrator of that terrible deed stood in all the ghastliness of guilt at the bar. The courthouse was filled to suffocation, by persons of all classes; and the vast assembly, together with the leading aristocracy of that opulent county, included in all likelihood some of the brother-incendiaries of the villain who was brought at last to a tardy justice. The deepest silence prevailed. The Judge himself, however, from his judicial experience disastrously familiar with scenes of this kind, seemed to be awe-struck by the consciousness of the important consequences of the trial, and weighed down by the magnitude of the crimes over the investigation of which he was condemned to preside. While the oath was administered to each of the jury, every eye was riveted upon the individual who held the sacred volume in his hand. While he

pressed the word of God to his lips, his countenance was closely watched, and it was easy to perceive upon the faces of the twelve men, upon whose concurrent voices the life of their fellow-creature was to depend, a strong solicitude, amounting almost to an expression of fear, at the hazard which they were about to incur by a conviction.

It was under these circumstances, and in the midst of a solemn hush, that Mr. Sergeant Blackburne rose to address the court; and I do him no wrong in stating that he did not raise himself to the height of the great argument, nor did he even make an approach to its elevation. He stated a case fraught with incidents which were enough to make "the hair stir as life were in't," with a coolness and *sang-froid* which would have become the argument of a demurrer in the Rolls. He brought to a court of criminal justice the language, the gesture, and the intonations, to which he had been familiar in a court of equity; and, in my opinion, his having failed to produce a deep impression arose from the very qualities which render him an accomplished advocate in another branch of his profession.

It may perhaps be thought that, feeling the injustice done to the prisoner in cases of felony, by permitting the counsel for the Crown to inflame the passions of the jury, while the right of speech is denied to the defendant's advocate, Mr. Sergeant Blackburne benevolently abstained from eloquence, and from motives of commiseration hid his brilliant faculties under a merciful mediocrity and charitable commonplace. I am far from thinking him capable of using any undue efforts to procure the conviction of any individual of whose guilt he could entertain the slightest doubt: he is a man of unimpeached probity and honor; but, while I acquit him of any such sanguinary intent, it is due to frankness to add that he entered into a general view of the state of the county, and, by exciting the alarm of the jury, enforced the necessity of making an example, and of striking terror into the mind of the populace. Perhaps this course was unavoidable; for it is obvious that the exercise of this privilege by the counsel for the Crown must have the effect of heating the minds of the jurors, and of pre-

paring them for the reception of the evidence, with that inevitable bias against the prisoner, arising from the predisposition to convict, which an appeal to their passions and an inculcation of the necessity of repressing insurrection can not fail to create. The humane and truly constitutional Judge [Burton] who presided in the criminal court at the last assizes of Clonmel, and who brought with him from England those habits of justice by which he is distinguished, was sensible of the disadvantage under which the prisoners labored, from the causes to which I have referred, and appeared to me to allude to Mr. Blackburne's speech, when he told the jury to discharge their minds of all considerations excepting the evidence immediately applicable to the specific case before them. I do not think that Mr. Sergeant Blackburne was much more successful in cross-examination, to which he is not accustomed, than in his oratorical displays; and it was the general impression of the bar that the Crown was indebted for the convictions which took place to the superior skill of Mr. Doherty, in breaking down, as it is technically called, the witnesses produced for the defendants.

In the course of the speeches delivered by Mr. Sergeant Blackburne, in the discharge of his functions as counsel for the Crown, after a general delineation of the character and habits of the county of Tipperary, he proceeded to state what he conceived to be the causes of the miserable condition of that populous and fertile district, and to point out a remedy for the evils by which it is oppressed. He stated that the frightful crimes which had been committed had their origin in the spirit of organization to which the peasantry were inveterately prone; and suggesting that the rigorous administration of justice was adequate to the cure of every evil, called upon the jury to apply, what his professional predilections, in conformity with the proverb, naturally induced him to consider of sovereign efficacy in removing all political distempers. There can be no doubt that the tendency of the people to enter into illegal combinations is among the ingredients of national calamity, but it is far more a consequence of remote influences than it is an essential and leading cause. Mr. Sergeant Blackburne, in endeavoring to discover the sources of that deep stream of bitterness,

the wide and almost periodical inundation of whose waters has produced so rank a fertility of crime, must have made but little progress toward the fountain-head, and mistaken one of the branches of the river for its source

The most remarkable of the many important cases in which Mr. Sergeant Blackburne acted as leading counsel for the Crown, was the trial of William Gorman, to which I have already referred, for "the burning of the Sheas." It is by that title that the terrible crime in which so many immolators and so many victims were involved, is habitually designated; and whenever a man expatiates upon the atrocities which disgrace the country, and upon the conflagrations by which its character is blackened, he refers, as to a leading illustration, to "the burning of the Sheas."

I shall not readily forget the impression which was produced upon me, on my first passing near the spot in which that dreadful incident took place, when some of its details were narrated by one of my fellow-travellers, in descending the narrow defile of Glenbower. The remains of the habitation in which eighteen human beings were committed together to the flames, are not visible from the road that winds at the foot of the mountain on which it was situated; but the dark and gloomy glen in which the deed was done, can be pierced by the eye, when the mists that hang upon the lofty ridge do not envelop it; and it is always with awe, which is not a little assisted by the loneliness and dreariness of the scene, that the traveller turns his eyes toward that dismal valley, to which his attention is directed by the habitual exclamation which I had never failed to hear: "There is the place where the Sheas were burnt!" I had an opportunity, in consequence of having attended two trials connected with that frightful event, of learning the circumstances by which it was attended; and as in these sketches I have not only endeavored to draw the portraits of individual barristers, but also to describe the character of their occupations as influenced by the nature of the cases in which they are engaged, an occasional account of the most important and striking of those cases falls within the scope of these essays, and at all events may not be unattended with interest to the

reader. Passing, therefore, from the advocate to the prosecutions in which he was engaged, it will not be inappropriate that I should proceed to detail the incidents which attended "the burning of the Sheas."

Upon the morning of the 20th of November, 1821, the remains of the house of Patrick Shea, a respectable farmer, who held a considerable quantity of land at the foot of the mountain of Slievenamaun, exhibited an appalling spectacle. It had been consumed by fire on the preceding night; and a large concourse of people (the intelligence of the conflagration having been rapidly diffused through the neighboring glens) assembled to look upon the ruins. Of the thatched roof which had first received the fire, a few smoking rafters were all that remained. The walls had given way, and stood gaping in rents, through which, on approaching them, the eye caught a glimpse of the dreadful effects of the devouring element. The door was burnt to its hinges; and, on arriving at the threshold, as awful a scene offered itself to the spectator as is recorded in the annals of terror. The bodies of sixteen human beings of both sexes lay together in a mass of corpses. The door having been closed when the flames broke out, the inhabitants precipitated themselves toward it, and in all likelihood mutually counteracted their efforts to burst into the open air. The house being a small one, every individual in it had an opportunity of rushing toward the entrance, where they were gathered by hope, and perished in despair. Here they lay piled upon each other. Those who were uppermost were burnt to the bones, while the wretches who were stretched beneath them were partially consumed. One of the spectators, the uncle of a young woman, Catherine Mullaly, who perished in the flames, described the scene with a terrible particularity. With an expression of horror which six years had not effaced, he said, when examined as a witness, that the melted flesh ran from the heap of carcasses in black streams along the floor.

But terrible as this sight must have been, there was another still more appalling. The young woman, whom I have already mentioned, Catherine Mullaly, resided in the house, and had been not very long before married. She had advanced a con-

siderable period in pregnancy, and her child, which was born in the flames in a premature labor, made the eighteenth victim. I shall never forget the answer given by her uncle at the trial, when he was asked how many had perished, he answered that there were seventeen; but that if the child that was dropped (that was his phrase) in the fire was counted, the whole would make eighteen. His unfortunate niece was delivered of her offspring in the midst of the flames. She was not found among the mass of carcasses at the door. There were sixteen wretches assembled there, but, on advancing farther into the house, in a corner of the room, lay the body of this unhappy young creature, and the condition in which her child was discovered accounted for her separation from the group of the dead. A tub of water lay on the ground beside her. In it she had placed the infant of which she had been just delivered while the fires were raging about her, in the hope of preserving it; and in preserving its limbs she had succeeded, for the body was perfect with the exception of the head, which was held above the water, and which was burned away. Near this tub she was found, with the skeleton of the arm with which she had held her child hanging over it! It will be supposed that the whole of this spectacle excited a feeling of dismay among the spectators; but they were actuated by a variety of sentiments. Most of them had learned caution and silence, which are among the characteristics of the Irish peasantry, and, whatever were their feelings, deemed it advisable to gaze on without a comment; and there were not wanting individuals who, folding their arms, and looking on the awful retribution, whispered sternly to each other that "William Gorman was at last revenged!"

When information of this dreadful event reached Dublin, it produced, as it was natural to expect, a very great sensation. It was at first believed that "the burning of the Sheas" was the result of that confederacy by which the peasantry had regulated the taking of lands; and that as the previous tenant, one William Gorman, had been ejected by the Sheas, against the will of the people, the house had been set on fire. But it was asked, "What object could there be in destroying so many individuals who were innocent of all crime, and were mere

laborers and servants in the employment of the occupying farmer?" This reflection, and a wish to rescue the national character from the disgrace of so wanton an atrocity, gradually induced a surmise that the fire had been accidental; and this conjecture was confirmed by the fact that, notwithstanding a large reward had been offered for the discovery of the incendiaries, no information was given to the Government. At length, however, the fatal truth was disclosed, and it was ascertained that the conflagration was the result of a plot executed by a considerable band of men, and that the whole population in the neighborhood were well aware both of the project and of its execution. The first clew to this abominable transaction was given by a woman of the name of Mary Kelly.

This female had been a person of dissolute life, and had married a servant, who, having relinquished his employment, some time after his marriage, established, with the assistance of his wife, what is commenly called a *shebeen-house*, in the vicinity of the Sheas, at the foot of Slievenamaun. It was a kind of mountain-brothel, or rather combined the exercise of a variety of trades, which, in the subdivision of labor that takes place in towns, are generally practised apart. Her husband stated that he sold spirits without license; provided board and lodging to any passengers who thought it expedient to take up their abode with him; and that if a young man and woman had any wish to be left alone in his hospitable and accommodating mansion at a late hour at night, he and his wife did not think it genteel to meddle with their discourse. It will be thought singular that, in so wild and desolate a district, in the midst of solitary glens and moors, such conveniences should exist; but they are not unfrequent; and one often meets these traces of civilization in parts of the country which carry no other evidence of refinement!

Mary Kelly appears to have superintended and conducted this establishment; her husband merely giving it the sanction of wedlock, and joining in the licentious conviviality which took place under his auspices. But although his wife had, upon her own admission, been of profligate habits, until time had transmuted her, by the ordinary process, from a harlot to a

procuress, yet she does not appear to have been utterly devoid of all virtuous sentiment; and, indeed, the scene which she had witnessed was of such a nature as to awaken any remnant of conscience, which often, in the midst of depravity, is found to linger behind.

A peasant of the name of William Gorman, at whose trial Sergeant Blackburne conducted the prosecution, had originally held the house where the Sheas resided. He was their under-tenant, and held the lowest place in those numerous gradations of tenure into which almost every field is divided and subdivided; for the Sheas were not middle-men in the strict sense of the word, but stood themselves at a great distance from the head-proprietor of the estate, although they were the immediate landlords of Gorman. The more remote the head-landlord, the heavier the weight with which oppression falls on the occupier of the soil. The owner of the fee presses his lessee; the latter comes down upon the tenant, who derives from him, who, in his turn, crushes his own immediate serf; and if, which often happens in this long concatenation of vassalage, there are many other interventions of estate, the occupier of the soil is in proportion made to suffer; and is, to use the expression of Lord Clare, "ground to powder," in this complicated system of exaction! William Gorman was dealt with most severely. He was distrained, sued in the superior courts, processed by civil bill—in short, the whole machinery of the law was put into action against him. Driven from his home, deprived of his few fields, without covert or shelter, he made an appeal to the league of peasants with whom he was associated; and, as the Sheas had infringed upon their statutes, it was determined that they should die, and that an exemplary and appalling vengeance should be taken of them.

I saw William Gorman at the bar of the court in which he was condemned. He heard the whole detail of the atrocities of which he had been the primary agent. He was evidently most solicitous for the preservation of life; yet the expression of anxiety which disturbed his ghastly features occasionally gave way to the exulting consciousness of his revenge; and, as he heard the narration of his own delinquencies, so far from

intimating contrition or remorse, a savage joy flashed over his face; his eyes were lighted up with a fire as lurid as that which he had kindled in the habitation of his enemies; his hand, which had previously quivered, and manifested, in the irregular movement of his fingers, the workings of deep anxiety, became, for a moment, clinched; and when the groans of his victims were described, his white teeth, which were unusually prominent, were bared to the gums; and, though he had drained the cup of vengeance to the dregs, still he seemed to smack his lips, and to lick the blood with which his injuries had been redressed!

This man had the vindictive feelings of a savage; but, while his barbarities admit of no sort of extenuation, they still were not without a motive. His co-partners in villany, however, who arranged and conducted the enterprise, had no instigation of personal vengeance, toward the oppressors of William Gorman. At their head was a bold and sagacious ruffian, whose name was Maher. It was determined that their plot should be carried into execution on Monday, the 20th of November. On the preceding Saturday, Maher went to Mary Kelly's house, and retired to a recess in it, where he employed himself in melting lead, and fusing it into balls. He was supposed to be a paramour of Mary Kelly (though she strenuously denied it), and she was certainly familiar with him. She had heard (indeed, it was known through the whole of that wild vicinage) that it was intended to inflict summary justice upon the Sheas; and being well aware that Maher was likely to dip his hands in any bloody business which was to go on, and observing his occupation, which he did not seek to hide from her, she taxed him with his "slaughterous thoughts," and having some good instincts left, begged him not to take life away. Maher answered with equivocation.

During this colloquy, Catherine Mullaly, a cousin of Mary Kelly, came into the house. Maher was well acquainted with her, and had the rude gallantry which is common among Irish peasantry. She resided as a servant with the Sheas. Maher believed that there were arms in the Sheas' possession, and knew that there were a number of persons living in the

house, with a view to their defence. The extent, however, of their means of self-protection the murderers had not ascertained, and it was important to learn the fact, in order that they might adapt to circumstances their mode of attack. It is probable, that, if there had been no weapons in the house, the conspirators would have burst open the door, dragged the Sheas out, and put them to death, and would have spared the more unoffending victims: but having discovered that there were firearms in abundance, they considered the burning of the house as a measure of self-defence, independently of the impression which a massacre upon a large scale would be likely to produce. Maher, therefore, sought to ascertain the state of defence from Catherine Mullaly, and entered into conversation with her in the tone of mixed joke and gibe, of which the lower orders, who delight in repartee, are exceedingly fond. The young woman was pleased with his attentions, and in the innocence of her heart, not having any suspicion of his intent, gradually disclosed to him that there was a quantity of arms in the house. Maher, on her departure, put on her cloak, and bade her farewell in the tone of friendship. Mary Kelly, who knew him well, and guessed at his object, the moment Catherine Mullaly was gone (for she did not dare to speak in her presence) implored Maher, whatever he might intend, not to harm Catherine Mullaly.

She extorted a promise from him to that effect, on which she relied for the moment, and they separated; Maher with his balls, and Mary Kelly with the undertaking for the life of Catherine Mullaly, in which she placed so mistaken a confidence. After some reflection, however, her alarm for the safety of her relative, to whom she was much attached, revived, and during the next day her suspicions were increased by the notes of preparation which she observed between Maher and his confederates. However, she did not venture to speak; for, to use her own phrase, "a word would have been as much as her life was worth;" still a terrible inquietude preyed upon her, and, as if actuated by some mysterious impulse, upon Monday night, when her husband, to whom she never communicated her apprehensions, was asleep, she silently rose

from bed, and having huddled on his coat, left her cabin, though it was near midnight, and advanced cautiously and slowly along the hedges, until she made her way to near Maher's house. She stopped, and heard the voices of men engaged in discussion, which lasted some time; at length the door opened—she hid herself behind some brambles, and bending down, in order to avoid detection, which would have been death, she marked the murderers as they came forth. They issued from Maher's house in arms, and walked in a sort of array, advancing in file. Eight of them she knew; and, as she alleged, distinctly recognised them by their voices and looks. One of them carried two pieces of turf, lighted at the extremities, and kept the fire alive with his breath.

They passed her without observation, and proceeded upon their dreadful destination. Trembling and terror-struck, but still impelled to pursue them, she followed on from hedge to hedge, until they got beyond her; and perceiving that they proceeded toward the house of the Sheas, she stopped at a spot from which the house was visible, and by which the murderers, after executing their diabolical purpose, afterward returned. Here she remained in terrible anticipation, and her conjecture was speedily verified. A fire suddenly appeared in the roof of Shea's house; the wind high, it rose rapidly into a flame, and the whole was speedily in a blaze. It cast round the rocky glen a frightful splendor, and furnished, in its extensive diffusion of light, the means of beholding all that took place close to the burning cottage, in which shrieks and cries for mercy began to be heard. The murderers had secured the door; and having prevented all possibility of escape, stood in groups about the house, and gazed on the progress of the conflagration. So far from being moved to pity, they answered the invocations of their victims with yells of ferocious laughter. They set up a war-whoop of exultation, and, in token of triumph, discharged their guns and blunderbusses to celebrate their achievement. There was an occasional pause in their shouts: nothing then was heard but the crackling of the flames, that shed far and wide their desolate illumination; and the spectatress of this dreadful scene, though at some distance

from it, declared that, in the temporary abatement of the wind, and the cessation of its gusts, she could at intervals hear the deep groans of the dying, and the gulps of agony with which their tortures were concluding.

But the fiends by whom these infernal fires were kindled, soon reiterated their cries of exultation, and discharged their guns again. The report of their firearms, which was taken up by the echoes of the mountain, produced a result which they had not anticipated. On the opposite side of a hill which adjoined the house, there resided a man of the name of Philip Dillon, who was a friend of the Sheas. Hearing the discharge of guns, and suspecting what had taken place, he summoned as many as he could gather together, and proceeded at their head across the hill, in order, if possible, to save the Sheas. They advanced toward the house, but arrived too late: neither had they courage to attack the murderers, who at once drew up before the flames to meet them. Philip Dillon, indeed, defied them to come on, but they declined his challenge, and waited his attack, which, as his numbers were inferior, he thought it prudent not to make. Both parties stood looking at each other, and in the meanwhile the house continued to blaze. The groans were heard for a little time, until they grew fainter and fainter; and at length all was silent.

Although the arrival of Philip Dillon did not contribute to save any of the sufferers, still it was the means of convicting William Gorman, by affording a corroboration to the testimony of Mary Kelly. John Butler, a boy, who was in the employment of Philip Dillon, and accompanied him to the burning house, was the brother of one of the servants of the Sheas. Notwithstanding he could not give any assistance to his brother, yet his anxiety to discover the murderers induced him to approach nearer than his companions to the flames, when, by the fire which they had kindled, Butler had an opportunity of identifying William Gorman, against whom he gave his testimony, and thus sustained the evidence of Mary Kelly.

All was now over—the roof had fallen in, and the ruins of the cottage were become a sepulchre. Gorman and Maher, with their associates, left the scene of their atrocities, and

returned by the same path by which they had arrived. Another eye, however, besides that of God, was upon them. They passed a second time near the place where Mary Kelly lay concealed; again she cowered at their approach; and, as they went by, had a second opportunity of identifying them. Here a circumstance took place which is, perhaps, more utterly detestable than any other which I have yet recorded. The conversation of the murderers turned upon the doings of the night, and William Gorman amused the party by mimicking the groans of the dying, and mocking the agonies which he had inflicted.

The morning now began to break, and Mary Kelly, haggard, affrighted, and laden with the dreadful knowledge of what had taken place, returned to her home. Well aware, however, of the consequences of any disclosure, she did not utter a syllable to her husband, or to her son, upon the subject; and although examined next day before a magistrate, who conjectured, from the ill-fame of her house, that she must have had some cognizance of what had taken place, she declared herself to be innocent of all knowledge. John Butler, too, who had witnessed the death of his brother, immediately proceeded to the house of his mother, Alicia Butler, an old woman, who was produced as a witness for the crown; he awoke her from sleep, and told her that her son had been burned alive. Her maternal feelings burst into an exclamation of horror upon first hearing this dreadful intelligence; but, instead of immediately proceeding to a magistrate, she enjoined her son not to speak on the subject, lest she herself, and all her family, should suffer the same fate.

For sixteen months, no information whatever was communicated to Government. Mary Kelly was still silent, and did not dare to reproach Maher with the murder of Catherine Mullaly, for whose life she had made a stipulation. She did not even venture to look in the face of the murderer, although, when he visited at her house, which he continued to do, she could not help shuddering at his presence. Still the deeds which she had seen were inlaid and burned in dreadful colors in her mind. The recollection of the frightful spectacle never left

her. She became almost incapable of sleep; and, haunted by images of horror, used in the dead of night to rise from her bed, and wander over the lonely glen in which she had seen such sights; and although one would have supposed that she would have instinctively fled from the spot, she felt herself drawn by a kind of attraction to the ruins of Shea's habitation, where she was accustomed to remain till the morning broke, and then return wild and wan to her home. She stated, when examined in private previous to the trial in which she gave her evidence, that she was pursued by the spectre of her unfortunate kinswoman, and that whenever she lay down in her bed, she thought of the "burning," and felt as if Catherine Mullaly was lying beside her, holding her child, "as black, as a coal, in her arms." At length her conscience got the better of her apprehensions, and in confession she revealed her secret to a priest, who prevailed upon her to give information, which, after a struggle, she communicated to Captain Despard, a justice of the peace for the county of Tipperary.

Such were the incidents which accompanied the perpetration of a crime, than which it is difficult to imagine one more enormous. To do the people justice, immediately after the conviction and execution of William Gorman, they appeared to feel the greatest horror at his guilt; and of that sentiment a Roman Catholic assembly, held during the assizes, afforded a strong proof. The assizes had gathered an immense concourse of the lower orders from all parts of the country, and Mr. Sheil, conceiving that a favorable opportunity had presented itself for giving a salutary admonition to the people, and believing that his advice would be fully as likely to produce an impression as the Protestant declamation of Mr. Sergeant Blackburne, used his influence in procuring a public meeting to be summoned. A vast multitude thronged to the place of assembly; and I am bestowing no sort of encomium upon Mr. Sheil, when I say that his speech produced a great deal of effect upon the peasantry, for the bare statement of the facts which appeared in evidence in the course of the assizes, would have been sufficient to awaken deep emotions wherever the instincts of humanity were not utterly extinguished. As

Mr. Sheil's address contained a summary of the principal cases in which Sergeant Blackburne was engaged, and he dwelt especially upon that of Matthew Hogan, which was attended by many afflicting circumstances, I shall close this article by a citation from the concluding passages of that gentleman's speech. "The recollection," he continued, "of what I have seen and heard during the present assizes, is enough to freeze the blood. Well might Judge Burton, who is a good and tender-hearted man—well might he say, with tears in his eyes, that he had not in the course of his judicial experience beheld so frightful a mass of enormities as the calendar presented. How deep a stain have those misdeeds left upon the character of your county, and what efforts should not be made by every man of ordinary humanity, to arrest the progress of villany, which is rolling in a torrent of blood, and bearing down all the restraints of law, morality, and religion, before it. Look, for example, at the murder of the Sheas, and tell me if there be anything in the records of horror by which that accursed deed has been excelled! The unborn child, the little innocent who had never lifted its innocent hands, or breathed the air of heaven—the little child in its mother's womb . . . I do not wonder that the tears which flow down the cheeks of many a rude face about me should bear attestation to your horror of that detestable atrocity. But I am wrong in saying that the child who perished in the flames was not born. Its mother was delivered in the midst of the flames. Merciful God? Born in fire! Sent into the world in the midst of a furnace! transferred from the womb to the flames that raged round the agonies of an expiring mother! There are other mothers who hear me. This vast assembly contains women, doomed by the primeval malediction to the groans of childbirth, which can not be suppressed on the bed of down, into which the rack of maternal agony still finds its way. But say, you who know it best, you who are of the same sex as Catherine Mullaly, what must have been the throes with which she brought forth her unfortunate offspring, and felt her infant consumed by the fires with which she was surrounded! We can but lift up our hands to the God of justice, and ask him

why has he invested us with the same forms as the demons who perpetrated that unexampled murder! And why did they commit it?—by virtue of a horrible league by which they were associated together, not only against their enemy, but against human nature and the God who made it!—for they were bound together—they were sworn in the name of their Creator, and they invoked Heaven to sanctify a deed which they were confederated to perpetrate by a sacrament of Hell. Although accompanied by circumstances of inferior terror, the recent assassination of Barry belongs to the same class of guilt. A body of men at the close of day enter a peaceful habitation, on the Sabbath, and regardless of the cry of a frantic woman, who, grasping one of the murderers, desired him 'to think of God, and of the blessed night, and to spare the father of her eight children!' dragged him forth, and when he, 'offered to give up the ground tilled and untilled if they gave him his life,' answered him with a yell of ferocious irony, and telling him 'he should have ground enough,' plunged their bayonets into his heart! An awful spectacle was presented on the trial of the wretched men who were convicted of the assassination. At one extremity of the bar there stood a boy, with a blooming face and with down on his cheek, and at the other an old man in the close of life, with a wild haggard look, a deeply-furrowed countenance, and a head covered with hoary and dishevelled hair. In describing the frightful scene it is consoling to find that you share with me in the unqualified detestation which I have expressed; and, indeed, I am convinced that it is unnecessary to address to you any observation on the subject.

"But, my good friends, I must call your attention to another trial, I mean that of the Hogans, which affords a melancholy lesson. That trial was connected with the insane practice which exists among you, of avenging the accidental affronts offered to individuals, by enlisting whole clans in the quarrel and waging an actual war, which is carried on by sanguinary battles. I am very far from saying that the deaths which occur in these barbarous feuds are to be compared with the guilt of preconcerted assassination, but that they are accom

panied with deep criminality there can be no question: the system, too, which produces them, is as much marked with absurdity as it is deserving of condemnation. In this county, if a man chances to receive a blow, instead of going to a magistrate to swear informations, he lodges a complaint with his clan, which enters into a compact to avenge the insult—a reaction is produced, and an equally extensive confederacy is formed on the other side. All this results from an indisposition to resort to the law for protection; for among you it is a point of honor to avoid magistrates, and to reject all the legitimate means provided for your redress. The battle fought between the Hickeys and the Hogans, in which not less than five hundred men were engaged, presents in a strong light the consequences of this most strange and preposterous system. Some of the Hickey party were slain in the field, and four of the Hogans were tried for their murder:—they were found guilty of manslaughter—three of them are married and have families, and from their wives and children are condemned to separate for ever. In my mind, these unhappy men have been doomed to a fate still more disastrous than those who have perished on the scaffold. In the calamity which has befallen Matthew Hogan every man in court felt a sympathy. With the exception of his having made himself a party in the cause of his clan, he has always conducted himself with propriety. His landlord felt for him not only an interest, but a strong regard, and exerted himself to the utmost in his behalf. He never took a part in deeds of nocturnal villany. He does not bear the dagger and the torch; honest, industrious, and of a mild and kindly nature, he enjoyed the good will of every man who was acquainted with him. His circumstances in the world were not only comparatively good, but, when taken in reference to his condition in society, were almost opulent; and he rather resembled an English yeoman than an Irish peasant. His appearance at the bar was in a high degree moving and impressive—tall, athletic, and even noble in his stature, with a face finely formed, and wholly free from any ferocity of expression, he attracted every eye, and excited, even among his prosecutors, a feeling of commiseration. He formed a

remarkable contrast with the ordinary class of culprits who are arraigned in our public tribunals. So far from having guilt and depravity stamped with want upon him, the prevailing character of his countenance was indication of gentleness and humanity. This man was convicted of manslaughter; and when he heard the sentence of transportation for life, all color fled from his cheek, his lips became dry and ashy, his hand shook, and his eyes were the more painful to look at from their being incapable of tears. Most of you consider transportation a light evil, and so it is, to those who have no ties to fasten them to their country. I can well imagine that a deportation from this island, which, for most of its inhabitants is a miserable one, is to many a change greatly for the better. Although it is to a certain extent, painful to be torn from the place with which our first recollections are associated, and the Irish people have strong local attachments, and are fond of the place of their birth, and of their fathers' graves—yet the fine sky, the genial climate, and the deep and abundant soil of New Holland, afford many compensations. But there can be none for Matthew Hogan:—He is in the prime of life, was a prosperous farmer:—he has a young and amiable wife, who has borne him children; but, alas!

> "'Nor wife, nor children, more shall he behold,
> Nor friends, nor sacred home.'

He must leave his country for ever—he must part from all that he loves, and from all by whom he is beloved, and his heart will burst in the separation. On Monday next he will see his family for the last time. What a victim do you behold, in that unfortunate man, of the spirit of turbulence which rages among you! Matthew Hogan will feel his misfortune with more deep intensity, because he is naturally a sensitive and susceptible man. He was proved to have saved the life of one of his antagonists in the very hottest fury of the combat, from motives of generous commiseration. One of his own kindred, in speaking to me of his fate, said, 'he would feel it the more, because' (to use the poor man's vernacular pronunciation) 'he was so *tinder*.' This unhappy sensibility will produce a more painful laceration of the heart than others would experience,

when he bids his infants and their mother farewell for ever. The prison of this town will present on Monday next a very afflicting spectacle. Before he ascends the vehicle which is to convey him for transportation, to Cork, he will be allowed to take leave of his family. His wife will cling with a breaking heart to his bosom; and while her arms are folded round his neck, while she sobs in the agony of a virtuous anguish on his breast, his children, who used to climb his knees in playful emulation for his caresses, his little orphans, for they are doomed to orphanage in their father's lifetime——— I will not go on with this distressing picture: your own emotions (for there are many fathers and husbands here) will complete it. But the sufferings of poor Hogan will not end at the threshold of his prison:—He will be conveyed in a vessel, freighted with affliction, across the ocean, and will be set on the lonely and distant land, from which he will return no more. Others, who will have accompanied him, will soon forget their country, and devote themselves to those useful and active pursuits for which the colony affords a field, and which will render them happier, by making them better men. But the thoughts of home will still press upon the mind of Matthew Hogan, and adhere with a deadly tenacity to his heart. He will mope about, in the vacant heedlessness of deep and settled sorrow; he will have no incentive to exertion, for he will have bidden farewell to hope. The instruments of labor will hang idly in his hands; he will go through his task without a consciousness of what he is doing: or if he thinks at all while he turns up the earth, he will think of the little garden beside his native cottage, which it was more a delight than a toil to till. Thus his day will go by, and at its close his only consolation will be to stand on the seashore, and fixing his eyes in that direction in which he will have been taught that his country lies—if not in the language, he will at least exclaim in the sentiments which have been so simply and so pathetically expressed in the Song of Exile:—

"'Erin, my country! though sad and forsaken,
In dreams I revisit thy sea-beaten shore;
But, alas! in a far foreign land I awaken,
And sigh for the friends that can meet me no more.'"

CONFESSIONS OF A JUNIOR BARRISTER.*

My father was agent to an extensive absentee property in the south of Ireland. He was a Protestant, and respectably connected. It was even understood in the country that a kind of Irish relationship existed between him and the distant proprietor whose rents he collected. Of this, however, I have some doubts; for, generally speaking, our aristocracy are extremely averse to trusting their money in the hands of a poor relation. Besides this, I was more than once invited to dine with a leading member of the family when I was at the Temple, which would hardly have been the case, had he suspected on my part any dormant claim of kindred. Being an eldest son, I was destined from my birth for the Bar. This, about thirty years ago, was almost a matter of course with our secondary gentry. Among such persons it was, at that time, an object of great ambition to have "a young counsellor" in the family. In itself it was a respectable thing—for, who could tell what the "young counsellor" might not one day be? Then it kept off vexatious claims, and produced a general

* This amusing sketch, of which it may be said, "*Se non è vero, è ben trovato,*" was prefaced with the following notice:—"MR. EDITOR: The author of the Irish Bar Sketches seems of late to have suspended his labors: and should he resume them, I question whether it forms any part of his plan to take up the subject upon which I now propose to trouble the public. I trust, therefore, that he will not consider it an act of undue interference with his exclusive rights, if, pending his present silence, I solicit the attention of your readers to the following sketch of myself. It may be vanity on my part, but it does strike my humble judgment that the details I am about to submit, and I shall be candid even against myself, have an interest of their own, which will excuse their publication."—The suspension spoken of here was imaginary, as one of the Sketches had appeared in May, and this was published in July, 1825.—M.

interested civility in the neighborhood, under the expectation that, whenever any little point of law might arise, the young counsellor's opinion might be had for nothing. Times have somewhat changed in this respect. Yet, to this day, the young counsellor who passes the law-vacations among his country friends finds (at least I have found it so) that the old feeling of reverence for the name is not yet extinct, and that his *dicta* upon the law of trespass and distress for rent are generally deferred to in his own county, unless when it happens to be the assizes'-time.

I passed through my school and college studies with great *éclat*. At the latter place, particularly toward the close of the course, I dedicated myself to all sorts of composition. I was also a constant speaker in the Historical Society, where I discovered, with no slight satisfaction, that popular eloquence was decidedly my forte. In the cultivation of this noble art, I adhered to no settled plan. Sometimes, in imitation of the ancients, I composed my address with great care, and delivered it from memory : at others, I trusted for words (for I am naturally fluent) to the occasion ; but, whether my speech was extemporaneous or prepared, I always spoke on the side of freedom. At this period, and for the two or three years that followed, my mind was filled with almost inconceivable enthusiasm for my future profession. I was about to enter it (I can call my own conscience to witness) from no sordid motives As to money matters, I was independent ; for my father, who was now no more, had left me a profit-rent of three hundred pounds a-year.

No ; but I had formed to my youthful fancy an idea of the honors and duties of an advocate's career, founded upon the purest models of ancient and modern times. I pictured to myself the glorious occasions it would present of redressing private wrongs, of exposing and confounding the artful machinations of injustice ; and should the political condition of my country require it, as in all probability it would, of emulating the illustrious men whose eloquence and courage had so often shielded the intended victim against the unconstitutional aggressions of the state. It was with these views, and not from

a love of "paltry gold," that I was ambitious to assume the robe. With the confidence of youth, and of a temperament not prone to despair, I felt an instinctive conviction that I was not assuming a task above my strength; but, notwithstanding my reliance upon my natural powers, I was indefatigable in aiding them, by exercise and study, against the occasions that were to render me famous in my generation. Deferring for the present (I was now at the Temple)* a regular course of legal reading, I applied myself with great ardor to the acquirement of general knowledge. To enlarge my views, I went through the standard works on the theory of government and legislation. To familiarize my understanding with subtle disquisitions, I plunged into metaphysics; for, as Ben Jonson somewhere says, "he that can not contract the sight of his mind, as well as dilate and disperse it, wanteth a great faculty;" and, lest an exclusive adherence to such pursuits should have the effect of damping my popular sympathies, I duly relieved them by the most celebrated productions of imagination in prose and verse. Oratory was, of course, not neglected. I plied at Cicero and Demosthenes. I devoured every treatise on the art of rhetoric that fell in my way. When alone in my lodgings, I declaimed to myself so often and so loudly, that my landlady and her daughters, who sometimes listened through the keyhole, suspected, as I afterward discovered, that I had lost my wits; but, as I paid my bills regularly and appeared tolerably rational in other matters, they thought it most prudent to connive at my extravagances. During the last winter of my stay at the Temple, I took an active part, as Gale Jones,† to his cost, sometimes found, in the debates of

* Irish barristers are compelled to "study" at the Temple, or some other Inn of Court, in London, besides eating half their term dinners at the Queen's Inn, Dublin. If an Irish barrister wish to practise at the English bar, he must first pass two years at a London Inn of Court, and pay the heavy stamp-duties and other charges—though he had already paid them in Dublin.—M.

‡ John Gale Jones was a notoriety—in his way. He was born in 1771, and before he had reached the years of manhood, had declared himself enamored of French republican principles. Thence, until his death, in 1838, he was one of the boldest, ablest, and most constant speakers at political meetings in London. In 1810, he had arraigned the House of Commons at the bar of public

the British Forum, which had just been opened for the final settlement of all disputed points in politics and morals.

Such were the views and qualifications with which I came to the Irish Bar. It may appear somewhat singular, but so it was, that previous to the day of my call, I was never inside an Irish Court of Justice. When at the Temple, I had occasionally attended the proceedings at Westminster Hall, where a common topic of remark among my fellow-students was the vast superiority of our Bar in grace of manner and classical propriety of diction. I had, therefore, no sooner received the congratulations of my friends on my admission, than I turned into one of the Courts to enjoy a first specimen of the forensic oratory of which I had heard so much. A young barrister of about twelve years' standing was on his legs, and vehemently appealing to the court in the following words: "Your Lordships perceive that we stand here as our grandmother's administratrix *de bonis non;* and really, my Lords, it does humbly strike me that it would be a monstrous thing to say that a party can now come in, in the very teeth of an Act of Parliament, and actually turn us round under color of hanging us up on the foot of a contract made behind our backs." The Court

opinion, and the Commons, instigated by the Government, committed him to Newgate, where he remained until the prorogation of Parliament, when he was liberated as a matter of course—neither branch of the Legislature having the power of awarding imprisonment beyond its own Session. He was tried, at Warwick, for sedition, and acquitted through the efforts of his counsel, Sir Samuel Romilly. I heard him speak in 1830, when he was sixty years' old, and even then, though his health was rather broken, he displayed much of the boldness, fluency, and eloquence, which had distinguished him in his prime. At the time I heard him, and until his death, his chief means of subsistence were what he obtained by speaking for payment in the political and other discussions which took place at the Rotunda in Blackfriars Road, the Cicernian Coffee House, and other debating societies in London. I remember that on one occasion, when I had ventured to present some matters of fact and figures of arithmetic against his beautiful flowers of rhetoric, Gale Jones condescended to admit that he had been mistaken, and to invite me from the body of the Rotunda, where I sat, as a spectator, to the platform where he and the other orators were placed. On my declining the invitation (thinking that the "post of honor is the private station," in such cases), he requested that I would drink his health, and sent round his own particular "pewter pot," out of which he begged that I would make the friendly libation!—M

admitted that the force of the observation was unanswerable, and granted his motion with costs. On inquiry, I found that the counsel was among the most rising men of the Junior Bar.

For the first three or four years, little worth recording occurred. I continued my former studies, read, but without much care, a few elementary law-books, picked up a stray scrap of technical learning in the courts and the hall, and was now and then employed by the young attorneys from my own county as conducting counsel in a motion of course. At the outset I was rather mortified at the scantiness of my business, for I had calculated upon starting into immediate notice; but being easy in my circumstances, and finding so many others equally unemployed, I ceased to be impatient. With regard to my fame, however, it was otherwise. I had brought a fair stock of general reputation for ability and acquirement to the bar; but, having done nothing to increase it, I perceived, or fancied I perceived, that the estimation I had been held in was rapidly subsiding. This I could not endure; and as no widows or orphans seemed disposed to claim my protection, I determined upon giving the public a first proof of my powers as the advocate of a still nobler cause. An aggregate meeting of the Catholics of Ireland was announced, and I prepared a speech to be delivered on their behalf. I communicated my design to no one, not even to O'Connell, who had often urged me to declare myself; but, on the appointed day, I attended at the place of meeting, Clarendon-street Chapel.

The spectacle was imposing. Upon a platform erected before the altar, stood O'Connell and his staff. The chair which they surrounded had just been taken by the venerable Lord Fingal, whose presence alone would have conferred dignity upon any assembly. The galleries were thronged with Catholic beauties, looking so softly patriotic, that even Lord Liverpool would have forgiven in them the sin of a divided allegiance. The floor of the chapel was filled almost to suffocation with a miscellaneous populace, breathing from their looks a deep sense of rights withheld, and standing on tiptoe and with ears erect to catch the sounds of comfort or hope which their leaders had to administer. Finding it impracti-

cable to force my way toward the chair, I was obliged to ascend and occupy a place in the gallery. I must confess that I was not sorry for the disappointment; for, in the first feeling of awe which the scene inspired, I found that my oratorical courage, which, like natural courage, "comes and goes," was rapidly "oozing out;"—but, as the business and the passions of the day proceeded—as the fire of national emotion lighted every eye, and exploded in simultaneous volleys of applause—all my apprehensions for myself were forgotten. Every fresh round of huzzas that rent the roof rekindled my ambition. I became impatient to be fanned, for my own sake, by the beautiful white handkerchiefs that waved around me, and stirred my blood like the visionary flags of the fabled Houris inviting the Mohammedan warrior to danger and to glory.

O'Connell, who was speaking, spied me in the gallery. He perceived at once that I had a weight of oratory pressing upon my mind, and good-naturedly resolved to quicken the delivery. Without naming me, he made an appeal to me under the character of "a liberal and enlightened young Protestant," which I well understood. This was conclusive, and he had no sooner sat down than I was on my legs. The sensation my unexpected appearance created was immense. I had scarcely said "My Lord, I rise," when I was stopped short by cheers that lasted for some minutes. It was really delicious music, and was repeated at the close of almost every sentence of my speech. I shall not dwell upon the speech itself, as most of my readers must remember it, for it appeared the next day in the Dublin Journals (the best report was in the Freeman), and was copied into all the London opposition papers except the Times. It is enough to say that the effect was, on the whole, tremendous.

As soon as I had concluded, a special messenger was despatched to conduct me to the platform. On my arrival there, I was covered with praises and congratulations. O'Connell was the warmest in the expression of his admiration: yet I thought I could read in his eyes that there predominated over that feeling the secret triumph of the partisan, at having con-

tributed to bring over a young deserter from the enemy's camp. However, he took care that I should not go without my reward. He moved a special resolution of thanks "to his illustrious young friend," whom he described as "one of those rare and felicitous combinations of human excellence, in which the spirit of a Washington is embodied with the genius of a Grattan." These were his very words, but my modesty was in no way pained at them, for I believed every syllable to be literally true.

I went home in a glorious intoxication of spirits. My success had surpassed my most sanguine expectations. I had now established a character for public speaking, which, independently of the general fame that would ensue, must inevitably lead to my retainer in every important case where the passions were to be moved, and, whenever the Whigs should come in, to a seat in the British Senate.

* * * * * * * *

After a restless night—in which however, when I did sleep, I contrived to dream, at one time that I was at the head of my profession, at another that I was on the opposition-side of the House of Commons redressing Irish grievances—I sallied forth to the Courts to enjoy the impression which my display of the day before must have made there. On my way, my ears were regaled by the cries of the news-hawkers, announcing that the morning papers contained "Young Counsellor ——'s grand and elegant speech."—"This," thought I, "is genuine fame," and I pushed on with a quickened pace toward the Hall.

On my entrance, the first person that caught my eye was my friend and fellow-student, Dick ——. We had been intimate at College, and inseparable at the Temple. Our tastes and tempers had been alike, and our political opinions the same, except that he sometimes went far beyond me in his abstract enthusiasm for the rights of man. I was surprised—for our eyes met—that he did not rush to tender me his greetings. However, I went up to him, and held out my hand in the usual cordial way. He took it, but in a very unusual way. The friendly pressure was no longer there. His countenance.

which heretofore had glowed with warmth at my approach, was still and chilling. He made no allusion to my speech, but looking round as if fearful of being observed, and muttering something about its being "Equity-day in the Exchequer," moved away. This was a modification of "genuine fame" for which I was quite unprepared. In my present elevation of spirits, however, I was rather perplexed than offended at the occurrence. I was willing to suspect that my friend must have found himself suddenly indisposed, or that, in spite of his better feelings, an access of involuntary envy might have overpowered him; or perhaps, poor fellow, some painful subject of a private nature might be pressing upon his mind, so as to cause this strange revolution in his manner. At the time I never adverted to the rumor that there was shortly to be a vacancy for a commissionership of bankrupts, nor had I been aware that his name as a candidate stood first on the Chancellor's list. He was appointed to the place a few days after, and the mystery of his coldness was explained.

Yet, I must do him the justice to say that he had no sooner attained his object than he showed symptoms of remorse for having shaken me off. He praised my speech, in a confidential way, to a mutual friend, and I forgave him—for one gets tired of being indignant—and to this day we converse with our old familiarity upon all subjects except the abstract rights of man. In the course of the morning I received many similar manifestations of homage to my genius from others of my Protestant colleagues. The young, who up to that time had sought my society, now brushed by me as if there was infection in my touch. The seniors, some of whom had occasionally condescended to take my arm in the Hall, and treat me to prosing details of their adventures at the Temple, held themselves suddenly aloof, and, if our glances encountered, petrified me with looks of established order. In whatever direction I cast my eyes, I met signs of anger or estrangement, or, what was still less welcome, of pure commiseration.

Such were the first fruits of my "grand and elegant speech," which had combined (O'Connell, may Heaven forgive you!) "the spirit of a Washington with the genius of a Grattan."

I must, however, in fairness state that I was not utterly "left alone in my glory." The Catholics certainly crowded round me and extolled me to the skies. One eulogized my simile of the eagle; another swore that the Corporation would never recover from the last hit I gave them; a third that my fortune at the Bar was made. I was invited to all their dinner-parties, and as far as "lots" of white soup and Spanish flummery went, had unquestionably no cause to complain. The attorneys, in both public and private, were loudest in their admiration of my rare qualifications for success in my profession; but, though they took every occasion, for weeks and months after, to recur to the splendor of my eloquence, it still somehow happened that not one of them sent me a guinea.

I was beginning to charge the whole body with ingratitude, when I was agreeably induced to change my opinion, at least for a while. One of the most rising among them was an old schoolfellow of mine, named Shanahan. He might have been of infinite service to me, but he had never employed me, even in the most trivial matter. We were still, however, on terms of, to me rather unpleasant familiarity; for he affected in his language and manners a certain waggish slang, from which my classical sensibilities revolted. One day, as I was going my usual rounds in the Hall, Shanahan, who held a bundle of briefs under his arm, came up and drew me aside toward one of the recesses. "Ned, my boy," said he, for that was his customary style of addressing me, "I just want to tell you that I have a sporting record now at issue, and which I'm to bring down to ——— for trial at the next assizes. It's an action against a magistrate, and a Bible-distributer into the bargain, for the seduction of a farmer's daughter. You are to be in it—I have taken care of that—and I just want to know if you'd like to state the case, for, if you do, it can be managed." My heart palpitated with gratitude, but it would have been unprofessional to give it utterance; so I simply expressed my readiness to undertake the office. "Consider yourself, then, retained as stating counsel," said he, but without handing me any fee. "All you want is an opportunity of showing what you can do with a jury, and never was there a finer one than

this. It was just such another that first brought that lad there into notice," pointing to one of the sergeants that rustled by us. "You shall have your instructions in full time to be prepared. Only hit the Bible-boy in the way I know you can, and your name will be up on the circuit."

The next day Shanahan called me aside again. In the interval, I had composed a striking exordium and peroration, with several powerful passages of general application, to be interspersed according as the facts should turn out, through the body of the statement. "Ned," said the attorney to me, as soon as we had reached a part of the Hall where there was no risk of being overheard, "I now want to consult you upon"—here he rather hesitated—"in fact, upon a little case of my own." After a short pause he proceeded: "You know a young lady from your county, Miss Dickson?"—"Harriet Dickson?"—"The very one."—"Intimately well; she's now in town with her cousins in Harcourt street: I see her almost every day."—"She has a very pretty property too, they say, under her father's will—a lease for lives renewable for ever."—"So I have always understood."—"In fact, Ned," he continued, looking somewhat foolish, and in a tone half slang, half sentiment, "I am rather inclined to think—as at present advised—that she has partly gained my affections. Come, come, my boy, no laughing; upon my faith and soul, I'm serious—and what's more, I have reason to think that she'll have no objection to my telling her so: but, with those devils of cousins at her elbow, there's no getting her into a corner with one's self for an instant; so, what I want you to do for me, Ned, is this—just to throw your eye over a wide-line copy of a little notice to that effect I have been thinking of serving her with." Here he extracted from a mass of law-documents a paper endorsed, "Draft letter to Miss D——," and folded up and tied with red tape like the rest. The matter corresponded with the exterior. I contrived, but not without an effort, to preserve my countenance as I perused this singular production, in which sighs and vows were embodied in the language of an affidavit to hold to bail. Amid the manifold vagaries of Cupid, it was the first time I had seen him

exchanging his ordinary dart for an Attorney's office-pen. When I came to the end, he asked if I thought it might be improved. I candidly answered that it would, in my opinion, admit of change and correction. "Then," said he, "I shall be eternally obliged if you'll just do the needful with it. You perceive that I have not been too explicit, for, between ourselves, I have one or two points to ascertain about the state of the property before I think it prudent to commit myself on paper. It would never do, you know, to be brought into court for a breach of promise of marriage; so you'll keep this in view, and before you begin, just cast a glance over the Statute of Frauds." Before I could answer, he was called away to attend a motion.

The office thus flung upon me was not of the most dignified kind, but the seduction-case was too valuable to be risked; so pitting my ambition against my pride, I found the latter soon give way; and on the following day I presented the lover with a declaratory effusion at once so glowing and so cautious, so impassioned as to matters of sentiment, but withal so guarded in point of law, that he did not hesitate to pronounce it a masterpiece of literary composition and forensic skill. He overwhelmed me with thanks, and went home to copy and despatch it. I now come to the most whimsical part of the transaction. With Miss Dickson, as I had stated to her admirer, I was extremely intimate. We had known each other from childhood, and conversed with the familiarity rather of cousins than mere acquaintances. When she was in town, I saw her almost daily, talked to her of myself and my prospects, lectured her on her love of dress, and in return was always at her command for any small service of gallantry or friendship that she might require. The next time I called, I could perceive that I was unusually welcome. Her cousins were with her, but they quickly retired and left us together. As soon as we were alone, Harriet announced to me "that she had a favor — a very great one indeed — to ask of me." She proceeded, and with infinite command of countenance. "There was a friend of hers — one for whom she was deeply interested — in fact it was — but no — she must not betray a

secret—and this friend had the day before received a letter containing something like, but still not exactly a proposition of—in short, of a most interesting nature; and her friend was terribly perplexed how to reply to it, for she was very young and inexperienced, and all that; and she had tried two or three times and had failed; and then she had consulted her (Harriet), and she (Harriet) had also been puzzled, for the letter in question was in fact, as far as it was intelligible, so uncommonly well written, both in style and in sentiment, that her friend was, of course, particularly anxious to send a suitable reply—and this was Harriet's own feeling, and she had therefore taken a copy of it (omitting names) for the purpose of showing it to me, and getting me—I was so qualified, and so clever at my pen, and all that sort of thing—just to undertake, if I only *would*, to throw upon paper just the kind of sketch of the kind of answer that ought to be returned."

The preface over, she opened her reticule and handed me a copy of my own composition. I would have declined the task, but every excuse I suggested was overruled. The principal objection—my previous retainer on the other side—I could not in honor reveal; and I was accordingly installed in the rather ludicrous office of conducting counsel to both parties in the suit. I shall not weary the reader with a technical detail of the pleadings, all of which I drew. They proceeded, if I remember right, as far as a *sur-rebutter*—rather an unusual thing in modern practice. Each of the parties throughout the correspondence was charmed with the elegance and correctness of the other's style. Shanahan frequently observed to me, "What a singular thing it was that Miss Dickson was so much cleverer at her pen than her tongue;" and once upon handing me a letter, of which the eloquence was perhaps a little too masculine, he protested "that he was almost afraid to go farther in the business, for he suspected that a girl who could express herself so powerfully on paper would, one day or other, prove too much for him when she became his wife." But, to conclude, Shanahan obtained the lady, and the lease for lives renewable for ever. The seduction case (as I afterward discovered) had been compromised the day before he

offered me the statement; and from that day to this, though his business increased with his marriage, he never sent me a single brief.*

Finding that nothing was to be got by making public speeches, or writing love-letters for attorneys, and having now idled away some valuable years, I began to think of attending sedulously to my profession; and, with a view to the regulation of my exertions, lost no opportunity of inquiring into the nature of the particular qualifications by which the men whom I saw eminent or rising around me had originally outstripped their competitors. In the course of these inquiries, I discovered that there was a newly-invented method of getting rapidly into business, of which I had never heard before. The secret was communicated to me by a friend, a king's counsel, who is no longer at the Irish Bar. When I asked him for his opinion as to the course of study and conduct most advisable to be pursued, and at the same time sketched the general plan which had presented itself to me, "Has it never struck you," said he, "since you have walked this Hall, that there is a shorter and a far more certain road to professional success?" I professed my ignorance of the particular method to which he alluded. "It requires," he continued, "some peculiar qualifications: have you an ear for music?"—Surprised at the question, I answered that I had. "And a good voice?"—"A tolerable one."—"Then, my advice to you is, to take a few lessons in psalm-singing; attend the Bethesda regularly; take a part in the anthem, and the louder the better; turn up as much of the white of your eyes as possible—and in less than six months you'll find business pouring in upon you. You smile, I see, at this advice; but I have never known the plan to fail, except where the party has sung incurably out of tune. Don't you perceive that we are once more becoming an Island of Saints, and that half the business of these Courts passes through their hands? When I came to the bar, a man's suc-

* This attorney's non-committal caution reminds me of another of the craft, who challenged a man to fight a duel with him, and fixed the meeting "in the Phœnix Park, adjacent unto the city of Dublin, and in that part of it entitled 'The Fifteen Acres'—be the same more or less."—M.

cess depended upon his exertions during the six working-days of the week; but now, he that has the dexterity to turn the Sabbath to account is the surest to prosper: and

> "'Why should not piety be made,
> As well as equity, a trade,
> And men get money by devotion
> As well as making of a motion?'"

These hints, though thrown out with an air of jest, made some impression on me; but after reflecting for some time upon the subject, and taking an impartial view of my powers in that way, I despaired of having hypocrisy enough for the speculation, so I gave it up. Nothing therefore remaining, but a more direct and laborious scheme, I now planned a course of study in which I made a solemn vow to myself to persevere. Besides attending the courts and taking notes of the proceedings, I studied at home, at an average of eight hours a-day. I never looked into any but a law-book. Even a newspaper I seldom took up. Every thing that could touch my feelings or my imagination I excluded from my thoughts, as inimical to the habits of mind I now was anxious to acquire. My circle of private acquaintances was extensive, but I manfully resisted every invitation to their houses. I had assigned myself a daily task to perform, and to perform it I was determined. I persevered for two years with exemplary courage. Neither the constant, unvarying, unrewarded labors of the day, nor the cheerless solitude of the evenings, could induce me to relax my efforts.

I was not, however, insensible to the disheartening change, both physical and moral, that was going on within me. All the generous emotions of my youth, my sympathies with the rights and interests of the human race, my taste for letters, even my social sensibilities, were perceptibly wasting away from want of exercise, and from the hostile influence of an exclusive and chilling occupation. It fared still worse with my health: I lost my appetite and rest, and of course my strength; a deadly pallor overcast my features; black circles formed round my eyes; my cheeks sank in; the tones of my voice became feeble and melancholy; the slightest exercise

exhausted me almost to fainting; at night I was tortured by headaches, palpitations, and frightful dreams; my waking reflections were equally harassing. I now deplored the sinister ambition that had propelled me into a scene for which, in spite of all my self-love, I began to suspect that I was utterly unfitted. I recalled the bright prospects under which I had entered life, and passed in review the various modes in which I might have turned my resources to honorable and profitable account. The contrast was fraught with anguish and mortification.

As I daily returned from the Courts, scarcely able to drag my wearied limbs along, but still attempting to look as alert and cheerful as if my success was certain, I frequently came across some of my college contemporaries. Such meetings always gave me pain. Some of them were rising in the army, others in the church; others, by a well-timed exercise of their talents, were acquiring a fair portion of pecuniary competence and literary fame. They all seemed happy and thriving, contented with themselves and with all around them; while here was I, wearing myself down to a phantom in a dreary and profitless pursuit, the best years of my youth already gone, absolutely gone for nothing, and the prospect overshadowed by a deeper gloom with every step that I advanced. The friends whom I thus met inquired with good-nature after my concerns; but I had no longer the heart to talk of myself. I broke abruptly from them, and hurried home to picture to my now morbid imagination the forlorn condition of the evening of life to a briefless barrister. How often, at this period, I regretted that I had not chosen the English Bar, as I had more than once been advised. There, if I had not prospered, my want of success would have been comparatively unobserved. In London I should, at the worst, have enjoyed the immunities of obscurity; but here my failure would be exposed to the most humiliating publicity. Here I was to be doomed, day after day and year after year, to exhibit myself in places of public resort, and advertise, in my own person, the disappointment of all my hopes.

These gloomy reflections were occasionally relieved by

others of a more soothing and philosophic cast. The catastrophe, at the prospect of which I shuddered, it was still in my own power to avert. The sufferings that I endured were, after all, the factitious growth of an unwise ambition. I was still young and independent, and might, by one manly effort, sever myself for ever from the spell that bound me; I might transport myself to some distant scene, and find in tranquillity and letters an asylum from the feverish cares that now bore me down. The thought was full of comfort, and I loved to return to it. I reviewed the different countries in which such a resting-place might best be found, and was not long in making a selection. Switzerland, with her lakes and hills, and moral and poetic associations, rose before me: there inhabiting a delightful cottage on the margin of one of her lakes, and emancipated from the conventional inquietudes that now oppressed me, I should find my health and my healthy sympathies revive.

In my present frame of mind, the charms of such a philosophic retreat were irresistible. I determined to bid an eternal adieu to demurrers and special contracts, and had already fixed upon the time for executing my project, when an unexpected obstacle interposed. My sole means of support was the profit-rent, of which I have already spoken. The land, out of which it arose, lay in one of the insurrectionary districts; and a letter from my agent in the country announced that not a shilling of it could be collected. In the state of nervous exhaustion to which the "blue books" and the blue devils had reduced me, I had no strength to meet this unexpected blow. To the pangs of disappointed ambition were now added the horrors of sudden and hopeless poverty. I sank almost without a struggle, and becoming seriously indisposed, was confined to my bed for a week, and for more than a month to the house.

When I was able to crawl out, I moved mechanically toward the Courts. On entering the Hall, I met my friend, the king's counsel, who had formerly advised the Bethesda: he was struck by my altered appearance, inquired with much concern into the particulars of my recent illness, of which he had not

heard before, and, urging the importance of change of air, insisted that I should accompany him to pass a short vacation then at hand at his country-house in the vicinity of Dublin. The day after my arrival there, I received a second letter from my agent, containing a remittance, and holding out more encouraging prospects for the future. After this I recovered wonderfully, both in health and in spirits. My mind, so agitated of late, was now, all at once, in a state of the most perfect tranquillity: from which I learned, for the first time, that there is nothing like the excitement of a good practical blow (provided you recover from it) for putting to flight a host of imaginary cares. I could moralize at some length on this subject, but I must hasten to a conclusion.

The day before our return to town, my friend had a party of Dublin acquaintances at his house: among the guests was the late Mr. D——, an old attorney in considerable business, and his daughter. In the evening, though it was summer-time, we had a dance. I led out Miss D——: I did so, I seriously declare, without the slightest view to the important consequences that ensued. After the dance, which (I remember it well) was to the favorite and far-famed "Leg-of-Mutton jig," I took my partner aside, in the usual way, to entertain her. I began by asking if "she was not fond of poetry?" She demanded "why I asked the question?" I said, "Because I thought I could perceive it in the expression of her eyes." She blushed, "protested I must be flattering her, but admitted that she was." I then asked "if she did not think the Corsair a charming poem?" She answered, "Oh, yes!"—"And would not *she* like to be living in one of the Grecian islands?"—"Oh, indeed she would."—"Looking upon the blue waters of the Archipelago and the setting sun, associated as they were with the rest."—"How delightful it would be!" exclaimed she. "And so *refreshing!*" said I. I thus continued till we were summoned to another set. She separated from me with reluctance, for I could see that she considered my conversation to be the sublimest thing that could be.

The effect of the impression I had made soon appeared. Two days after, I received a brief in rather an important case

from her father's office. I acquitted myself so much to his satisfaction, that he sent me another, and another, and finally installed me as one of his standing counsel for the junior business of his office. The opportunities thus afforded me brought me by degrees into notice. In the course of time, general business began to drop in upon me, and has latterly been increasing into such a steady stream, that I am now inclined to look upon my final success as secure.

I have only to add, that the twelve years I have passed at the Irish Bar have worked a remarkable change in some of my early tastes and opinions. I no longer, for instance, trouble my head about immortal fame; and, such is the force of habit, have brought myself to look upon a neatly-folded brief, with a few crisp Bank-of-Ireland notes on the back of it, as, beyond all controversy, the most picturesque object upon which the human eye can alight.

LORD MANNERS.

On the 31st day of July, in the year of our Lord 1827, Lord Manners, the late Keeper of his Majesty's Irish Conscience, bade the Irish bar farewell.* The scene which took place upon that melancholy occasion deserves to be recorded. It being understood that an address of professional condolence on behalf of the more loyal portion of the bar was to be pronounced by that tender enunciator of pathetic sentiment, the Attorney-General, the Court of Chancery was crowded at an early hour. The members of the Beef-Steak Club, with countenances in which it was difficult to determine whether their grief at the anticipated "export" from Ireland, or the traces

* Lord Manners, was son of Lord George Manners, of the Ducal house of Rutland. He was born in 1756, was educated at Cambridge, where he obtained the honor of being fifth wrangler, and, having been called to the bar, in due time became Solicitor-General to the Prince of Wales, and one of his parliamentary adherents. In 1802, when made Solicitor-General to the king, he was knighted. In 1803 he was one of the official prosecutors of Colonel Despard, tried and executed for high treason. He was made one of the Barons of the Exchequer in 1805, and in 1807 was raised to the peerage, on being appointed Lord-Chancellor of Ireland, as successor to Mr. Ponsonby. On demanding the Seals, with all wonted formality, he discovered that he had accidentally left behind him the authority for assuming the new dignity! Lord Manners held the Irish Chancellorship for twenty years—until July, 1827, when he was recalled, and succeeded by Sir Anthony Hart. As an equity judge, he wanted capacity, and was further deficient, by being a decided political partisan. Many of his judgments were reversed by the House of Lords, and nothing but the fact that he was ultra-Protestant in his principles could have retained him, so long, in a position where the general opinion of the profession as to his conduct and qualifications was contemptuous in the extreme. He died in May, 1842, aged eighty-six.—M.

of their multitudinous convivialities, enjoyed a predominance, filled the galleries on either side. The junior aristocracy of the bar, for whom the circuits have few attractions, occupied the body of the court; while the multitude of King's counsel, in whom his Majesty scarcely finds a verification of the divine saying of Solomon, were arrayed along the benches, where it is their prerogative to sit, in the enjoyment of that leisure which the public so unfrequently disturb. The assembly looked exceedingly dejected and blank. A competition in sorrow appeared to have been got up between the rival admirers of his Lordship, the Pharisees of Leeson and the Sadducees of the Beef-Steak Club. "The Saints," however, from their habitual longitude of visage, and the natural alliance between their lugubrious devotion and despair, had a decided advantage over the statesmen of revelry and the legislators of song; and it was admitted on all hands that Mr. M'Kaskey should yield the palm of condolence to a certain pious Sergeant, into whom the whole spirit of the prophet Jeremy appeared to have been infused.

But the person most deserving of attention was Mr. Saurin. Lord Manners had been his intimate associate for twenty years. He had, upon his Lordship's first arrival in Ireland, pre-occupied his mind; he took advantage of his opportunities of access, and, having crept like an earwig into his audience, he at last effected a complete lodgment in his mind. Mr. Saurin estab lished a masterdom over his faculties, and gave to all his pas sions the direction of his own. A very close intimacy grew up between them, which years of intercourse cemented into regard. They were seen every day walking together to the court, with that easy lounge which indicated the carelessness and equality of their friendship. In one instance only had Lord Manners been wanting in fidelity to his companion. He had been commissioned to inform him (at least he was himself six months before apprized of the intended movement) that Mr. Plunket would, in return for his services to the Administration, be raised to the office of Attorney-General for Ireland. Had Mr. Saurin been informed of this determination, he might have acted more wisely than he did, when, in a fit of what his

advocates have been pleased to call magnanimity, but which was nothing else than a paroxysm of offended arrogance, he declined the Chief-Justiceship of the King's Bench! Lord Wellesley took him at his word, and gave him no opportunity to retrace his steps. He would not, at all events, have been taken unawares. Mr. Saurin is not conspicuous for his tendencies to forgiveness, but he pardoned the person in whose favor, of all others, a barrister should make an exception from his vindictive habits. Their intercourse was renewed; and whatever might have been the state of their hearts, their arms continued to be linked together. This intimacy was noted by the solicitors, and, although deprived of his official power, Mr. Saurin retained his business, and the importance which attends it.

The resignation, therefore, of Lord Manners,* to whose court his occupations were confined, was accounted a personal misfortune to himself. From the peculiar circumstances in which he was placed, he drew the general notice in the scene of separation, and was an object of interest to those who, without any political sympathy or aversion, are observers of feeling, and students of the human heart. In justice to him it should be stated that his bearing did not greatly deviate from his ordinary demeanor, and that he still looked the character which he had been for some time playing, if not with profit, yet not without applause, as the stoic of Orangeism, and the Cato of "a falling state." Not that he appeared altogether insensible, but, in his sympathies, his own calamities did not seem to have any very ostensible share: any expression of a melancholy

* He was succeeded by Sir Anthony Hart, born in 1759 at St Kitt's, in the West Indies. He was once a Unitarian preacher at Norwich; went to the English bar; practised in equity for many years, and with such success that he was then made Master of the Rolls, succeeded Sir John Leach as Vice-Chancellor of England, in April, 1827, and was then knighted. In Ireland he gave much satisfaction, by reason of the soundness and impartiality of his judgments. He literally had no politics, and prided himself on being a lawyer and nothing else — in strong contrast to his predecessor, who was a political partisan and not much of a lawyer. He retired from office, at the close of 1830, when the Grey Ministry appointed Plunket to succeed him, and died December, 1831, aged seventy-two. — M.

kind, that was perceivable through his dark and Huguenot complexion, seemed to arise more immediately from the pains of friendship than from any sentiment in more direct connection with himself.

I can not avoid thinking, however, that his mind must have been full of scorpion recollections: there was, at least, one incident which must have deeply stung him. Had the address to Lord Manners been pronounced by Mr. Plunket, Mr. Saurin might have been reconciled to the representation of the bar, in the person of a man who had long approved himself his superior. But to see his own proselyte holding the place to which he had acquired a sort of prescriptive right, and to witness in Henry Joy the Attorney-General to a Whig Administration, while he was himself without distinction or office, was, I am sure, a source of corrosive feelings, and must have pained him to the core.

It would, however, have been a misfortune for the lovers of ridicule, if any man except Mr. Joy had pronounced the address which was delivered to the departing Chancellor. He is a great master of mockery, and looks a realization of Goethe's Mephistophiles. So strong is his addiction to that species of satire which is contained in exaggerated praise, that he scarcely ever resorts to any other species of vituperation. Nature has been singularly favorable to him. His short and upturned nose is admirably calculated to toss his sarcasms off; his piercing and peering eyes gleam and flash in the voluptuousness of malice, and exhibit the keen delight with which he revels in ridicule and luxuriates in derision. His chin is protruded, like that of the Cynic listening to St. Paul, in Raphael's Cartoon. His muscles are full of flexibility, and are capable of adapting themselves to every modification of irony. They have the advantage, too, of being covered with a skin that dimples into sneers with a plastic facility, and looks like a manuscript of Juvenal found in the ashy libraries of Herculaneum. In this eminent advocate, such an assemblage of physiognomical qualifications for irony are united, as I scarcely think the countenance of any orator in the ancient city of Sardos could have presented. His face was an admirable commentary

on the enormity of the encomium which he was deputed to offer.

The "Evening Mail,"* indeed, the official organ of the Orange faction in Ireland, gives a somewhat different account of this amusing exhibition. "Every sound," says that graphic journalist, "was hushed, while the Attorney-General, with a tremulous voice, but with a feeling and emphasis which showed that the sentiments expressed came directly from his heart," and so forth. Then follows the address. I forbear from setting forth the whole of it, but select a single sentence: "We," said Mr. Joy, "can not but admire that distinguished ability, that strict impartiality, and that unremitting assiduity, with which you have discharged the various duties of your office." The delivery of this sentence was a masterpiece of sarcastic recitation; and, to any person who desired to become a proficient in the art of sneering, of which Mr. Joy is so renowned a professor, afforded an invaluable model.

Cicero, in his oratorical treatise, has given an analysis of the manner in which certain fine fragments of eloquence have been delivered; and for the benefit of the students of irony, it may not be improper to enter with some minuteness into a detail of the varieties of excellence with which Mr. Joy pronounced this flagitious piece of panegyric. With this view, I shall take each limb of the sentence apart. —"We can not but admire:"—In uttering these words, he gave his head that slight shake, with which he generally announces that he is about to let loose some formidable sarcasm. He paused at the

* The *Dublin Evening Mail*, long the leading ultra-Tory and ultra-Protestant newspaper in Ireland, was commenced in the heat of the agitation on the Catholic question, and obtained immediate notoriety and influence, by means of the talent and vigor with which it was conducted, and its boldness in personality. Curiously enough, the proprietors (brothers, named Sheehan), had been Catholics, and the violence of their Protestantism was greater (on that account? — for who so violent as a renegade?) than if they had been born to it. During the Session of Parliament, Remmy Sheehan resided in London, very much in the confidence of the leaders of the Tory party, and his correspondence in the *Evening Mail* often anticipated even the leading London papers in political information. The *Mail* still flourishes — but Remmy Sheehan is no more. It was said that he returned to the Catholic faith, before he died.—M.

same time, as if he felt a qualm of conscience at what he was about to speak and experienced a momentary commiseration for the victim of his cruel commendations. This feeling of compassion, however, only lasted for an instant, and he assumed the aspect that became the utterance of the vituperative adulation which he had undertaken to inflict. "We can not but admire the distinguished ability:"—At the word "ability" it was easy to perceive that he could with difficulty restrain his sense of extravagance from breaking into laughter. However, he did succeed in keeping down the spirit of ridicule within the just boundaries of derision. At the same time he conveyed to his auditors (the Chancellor excepted) the whole train of thought that was passing in his mind; and by the magic of his countenance recalled a series of amusing recollections. It was impossible to look at him without remembering the exhibitions which for twenty years had made the administration of justice in the Irish Court of Chancery the subject of Lord Redesdale's laughter, and of John Lord Eldon's tears. He spoke it with such a force of mockery, that he at once brought to the mind of the spectators that spirit of ignorant self-sufficiency, and presumptuous precipitation, with which Lord Manners discharged the business of his court. A hundred cases seemed to rise in his face. Stackpoole and Stackpoole appeared in the curl of his lip; Blake and Foster quivered in the movement of his nostrils; Brossley against the Corporation of Dublin appeared in his twinkling eyes; and "reversal" seemed to be written in large characters between his brows.*

The next sarcasm which this unmerciful adulator proceeded to apply, turned on his lordship's selection of magistrates. At

* All these were important cases, which Lord Manners decided one way, while the House of Lords, assisted by the judges of England, on appeal, decided that he was wholly and almost flagrantly in error.—It would have been difficult, I suspect, to have found a worse equity judge than Lord Manners. Some time after his death, while I was going over these Sketches with Mr. Sheil, I asked his opinion of Lord Manners. His reply was emphatic enough:—"Go out into the street—pick up the first man in a decent coat, who is able to give correct replies to any three ordinary questions you may put to him—put that man on the Lord-Chancellor's seat, in Dublin, and he *must* make a better judge than Lord Manners was."—M.

the utterance of "strict impartiality," the smile of Mr. Joy gleamed with a still yellower lustre over his features, and he threw his countenance into so expressive a grimace, that the whole loyal, but pauper magistracy of Ireland was brought at once to my view. I beheld a long array of insolvent justices with their arms out at the elbows, who had been honored, by virtue of their Protestantism, with his Majesty's commission of the peace.*

I did not think it possible for the powers of irony to go beyond this last achievement of the Attorney-General, until he came to talk of his lordship's unremitting assiduity. It was well known to every man at the Bar, that Lord Manners abhorred his occupations. He trembled at an enthymem, he sunk under a sorites, and was gored by the horns of a dilem-

* It may be scarcely worth mention — but I may as well state that, when I lived in Ireland (five-and-twenty years ago: *eheu fugaces anni!*) I had frequent occasion to notice that the Catholics preferred going before a Protestant magistrate, even though a justice of their own persuasion might be nearer their vicinity. When I was a boy, I passed much of my time at the house of my uncle, the late John Shelton, of Rossmore, in my native county of Limerick, and I noticed that the peasantry always brought their complaints before him in preference to a Catholic Justice of the Peace who lived on the other side of the mountain, and nearer to their homes. Their complaint was that their own magistrate "was too severe, entirely, upon them." So, a few years after, when I was at school, at Fermoy, in the county of Cork, there was an excellent man, and a Catholic (Thomas Dennehy, of Belleview), who was a magistrate. He lived near Carrigaline, and between Glandalane and Fermoy, but the peasantry and the small farmers always passed him by, and went before George Walker, a Protestant magistrate. I ascertained the cause — the Catholic Justices who were "few and far between," were so much exposed to, and afraid of, censure, that they usually inclined a trifle toward a Protestant complainant or defendant — for fear that they should be suspected of partiality toward persons of their own creed. — Perhaps I should apologize for thus bringing my own experiences into this note; but, when I resided, as a child, with my uncle, the magistrate, in the county of Limerick, I was usually thrust into the library, on wet days, being accused (very unjustly, of course) of being "a troublesome lad.' This library consisted exclusively of a complete set of Walker's Hibernian Magazine, recording Irish history during the time of the Union, as well as many years preceding and following it, and the repeated perusal of these magazines made me so familiar with Irish matters that I recollect nearly all they told me — which may account for the particular and distinctive details which I have put into these notes. — M.

ma. His irritability in court was the subject of universal complaint. He seemed to labor under an incapacity of fixing his attention for any continuity of time to any given matter of meditation; and by his wriggling in his seat during the admirable arguments of Mr. Pennefather, and his averted eye, and the puffing of his cheeks, exhibited his strong distaste for reasoning, and the horror which he entertained for all inductive thought. It was in frosty weather that his excitability and fretfulness of temperament were particularly conspicuous. He was fond of shooting, and if he was detained by a long argument beyond the usual period which he allowed to the hearing of causes, about Christmas, he broke out into fits and starts of ludicrous irritation. Mr. Plunket used to say that whenever Lord Manners heard the name of Mr. Hitchcock (a gentleman of the Irish Bar of considerable talents) his lordship used to start, as if it were "Hish! Cock!" that had struck his ear. The memory of the Attorney-General, in complimenting him on his "unremitting assiduity," was, I am sure, carried back to those scenes of judicial impatience, in which, when the mercury stood at the freezing point, his lordship's intolerance of all argument was exemplified. The look with which Mr. Joy executed the recitation of this portion of his address, was, if possible, a higher feat. It was the *chef-d'œuvre* of mockery, and masterpiece of derision. His eyes, his brows, his nose and chin.—But I will not undertake to describe him —enough to say, that such was the potency of his sarcasm, that I was transported in fancy to the Duke of Leinster's demesne at Carton, where his lordship used to shoot, and I beheld him amid those brambles of which he was much fonder than the thorny quicksets of the law, with his chancellor hat, a green jacket, a scarlet waistcoat, silk breeches, and long black gaiters, which constituted his usual sporting attire.

I was, however, recalled from this excursion of the imagination, by the farewell address of his lordship to the Bar. The Attorney-General had concluded, and Lord Manners rose to bid it a long adieu. It did him great credit that he did not follow the example of Lord Redesdale, who wept and whimpered upon his taking leave of Ireland and ten thousand a year.

Lord Manners had the materials of consolation in his pocket, having received about two hundred thousand pounds of the public money, for "the distinguished ability, the strict impartiality, and unremitting assiduity," of which Mr. Joy had performed the panegyric. So far from indulging in any lachrymatory mood, his lordship proved himself a partisan to the last, by giving vent to his factious antipathies against the Solicitor-General. He had strenuously resisted the nomination of Mr. Doherty to the office, for which his talents as a speaker, both in Parliament and at the Bar, had eminently qualified him. There was not an individual of the profession, who did not feel convinced that Lord Manners was actuated by an hostility arising from political motives, founded upon Mr. Doherty's support of Catholic Emancipation.

Nearly the last sentence in his address is copied from the Evening Mail. "If," said his lordship, "I have disappointed or delayed the expectations of any gentleman of the Bar, I lament it. I can assure you, gentlemen, I have not been actuated by a personal motive, or hostile feeling against him, but by a sense of duty imposed on me, in the situation in which I am placed to protect the fair claims of the Bar, by resisting, to the utmost of my power, the interference of parliamentary or political interest in the advancements in the law." It is obvious that under the veil of affected regret which Lord Manners states himself to have felt at having, with a view to the promotion of Sergeant Lefroy, opposed the wishes of Mr. Canning and the directions of the Cabinet, there lurks in the intimation that his lordship had opposed the interference of parliamentary and political interest, a reflection upon Mr. Doherty, of which good feeling, as well as a sense of justice, should have forbidden the expression. This Parthian arrow should not have been discharged at such a moment. It was not a time for the indulgence of acrimonious feelings.

But, independently of the factious rancor which is conveyed in this reference to Mr. Doherty, it is surprising that such a want of ordinary discretion should have been manifested by an individual who was himself so obnoxious to the unkind

observation with which, at parting, he wantonly aspersed the advancement of a member of the bar. Lord Manners had objected to Mr. Doherty upon the ground of his juniority. He was not, himself, of as long standing at the English Bar when he was created Solicitor-General. Mr. Doherty was at the head of his circuit, where he had evinced as high qualifications as a speaker as any gentleman in the whole profession. Lord Manners was unemployed at the bar, except when he got a brief from his brother-in-law, a solicitor of Lincoln's Inn. Lord Manners' objection to the exercise of parliamentary or political interest seems to be equally strange. What but the power of the house of Rutland could ever have raised a man of his feeble understanding and slight acquirements to the office of Lord Chancellor of Ireland, to the discharge of whose duties he was so utterly incompetent, that his able and erudite successor can scarcely refrain from expressing astonishment at the spirit of blunder in which almost every one of Lord Manners's orders, which came before him for revision, is conceived?

After Lord Manners had delivered his valedictory commemoration of his own deserts, he proceeded to his house in Stephen's Green,* for the purpose of receiving a deputation from the Corporation of Dublin, between whom and his Lordship twenty years of devoted adherence to the cause of loyal monopoly had established a profound sympathy. The Corpora-

* Stephen's Green is a square in Dublin, an Irish mile in circumference, if you walk round it by the houses: an English mile, if you measure by the circumference of the area within surrounded by iron railings. I should mention that *Irish* longitudinal exceed *English* miles, in the proportion of 11 of the former, to 14 of the latter.— Miss Edgeworth told a story of a traveller who complained to a Paddy, of the narrowness of the roads. "True enough," said Pat, "but what you lose in the *breadth*, you gain in the *length*." In my time the roads were excellent and not deficient in width. The system of Macadamization, as it is barbarously called, was practised on the Irish turnpike roads a hundred years before a "canny Scot" filched it, from Ireland, and made a fortune out of, and won a title from, John Bull, by passing it off as his own discovery. In 1847, under the Labor Expenditure system, some of the finest roads in Ireland were torn up, under the idea of improving them, and, the funds failing, before the "improvements" commenced, the poor roads were left in the ruined condition to which they had been reduced!— M.

tion of Dublin, it must be on all hands admitted, were under extraordinary obligations to Lord Manners: a deficiency in their accounts to the amount of upward of forty thousand pounds had been the subject of a bill in Chancery, at the suit of Mr. Brossley, who, at the instance of the Chamber of Commerce, had taken proceedings in order to compel them to disgorge the produce of their systematic extortion from the citizens of Dublin. To the astonishment of the whole Bar, Lord Manners refused all relief. I well remember the indignation of Mr. Plunket, when the Chancellor pronounced his decree. He shook his hand in mingled scorn for his intellect, and anger at the everlasting effrontery of the decision. The decree has been since opprobriously reversed in the House of Lords.

But the Corporation were grateful for the manifestations of his Lordship's good-will; and accordingly on the day of his departure, and after he had taken his farewell of the bar, the Lord-Mayor, the sheriffs, and Sir Abraham Bradley King, together with a train of civic baronets and knights, with whom his Majesty has repaired the exhausted aristocracy of Ireland, waited upon Lord Manners. The following is an extract from their address, taken from the faithful record, from which a relation has been already made: "We are not insensible that by your undeviating loyalty to your Sovereign, and attachment to the true and genuine principles of an unrivalled Constitution in Church and State, you have been exposed to the malignant attacks of base and dastardly demagogues, upheld by the vile vituperations of a licentious press."

The Evening Mail proceeds to state, that after the Town-Clerk had concluded (for it seems that a Lord-Mayor does not enjoy the advantages of Dogberry, and that reading and writing do not come to him by nature), his Lordship placed his hand upon his heart, and read the following answer: "After a residence of upward of twenty years in your capital, where my conduct in public and private life must be well known to you, this mark of approbation from the highly-respectable and loyal Corporation of the City of Dublin can not fail to be extremely gratifying to me: I receive it with pleasure, and

shall remember it with gratitude. If I have any claim to be distinguished by you, it must arise from my having anxiously confined myself to the judicial duties of my office, and carefully abstained, as far as was consistent with the trust reposed in me, *from interfering in party or political topics.* This line of conduct has justified me in the consideration of your constitutional body, and may, in some degree, have entitled me to those expressions of kindness and good opinion which accompany your address, and for which I return you my warmest acknowledgments. I do assure you, my Lord-Mayor and gentlemen, I shall always feel a strong interest in the prosperity of your Corporation, and a grateful sense of the obligations I owe to Ireland."

The Evening Mail mentions that the Chancellor then handed the address to the Lord-Mayor; but it omits to record that the worthy functionary stood before the Chancellor in a state of cataleptic astonishment. The whole of his attendants, from the High-Sheriffs down to the Rev. Tighe Gregory, and Mr. David M'Cleary, the oratorical tailor, who cut out Sir Abraham Bradley's surtout, participated in the feeling of the Lord-Mayor, and stood with their eyes fixed upon the Chancellor, like the statues of amazement in all its different forms.*

The assurance given by his Lordship that he had never interfered in politics, struck them into stupefaction. Lord Manners was at a loss to account for this phenomenon, and vainly endeavored to rouse the Lord-Mayor from the influences of wonder to a consciousness of external objects. He placed the address in his hand, but it dropped out of it. He

* Sir A. B. King, Dr. Gregory, and Davy M'Cleary, were members of the Corporation of Dublin, in those days, and (as such) violent partisans and politicians. King was Stationer to the Crown, and the Grey Ministry broke his patent, thereby annulling the lucrative appointment. King, nearly ruined, and half heart-broken, went to O'Connell, against whom he had been making speeches for twenty years, and placed himself and his case in the hands of his old opponent. O'Connell devoted himself to the matter, obtained a pension of twelve hundred pounds sterling, for King, as compensation, and the Orangeman's death-bed words were of gratitude to O'Connell. M'Cleary is also dead. Gregory got a rich living in Ireland, and expecting no more gain by politics, is now a rational man.— M.

adopted various other expedients, but in vain. At length, however, he bethought himself of an artifice, which was attended with instantaneous success; and, as the Evening Mail has it, "invited the Lord Mayor and Corporation to partake of a collation prepared for them." The doors of an adjoining room were thrown open, and the moment the enchanting spectacle which was presented by a splendid banquet was disclosed, at the sight of "cold meats, fowls, turkeys" (they are thus enumerated in the gazette of loyalty), the effect was sudden and complete; they recovered at once from the petrifying power of astonishment, and precipitated themselves upon the viands which were prepared for them, with a voracity which well became "the ancient, loyal," hungry, and bankrupt Corporation of Dublin.*

* It was for calling it "a *beggarly* Corporation," in 1815, that Mr D'Esterre challenged Mr. O'Connell—which ended in his own death.—M.

THE MANNERS TESTIMONIAL.

Certain of the bar, consisting, to a great extent, of the eternal perambulators of the Hall, have recently subscribed for a piece of plate, which is to be called "The Manners Testimonial, or Forensic Souvenir." It was originally intended to throw the contributions of the profession into a silver cup, wherewith his Lordship might deeply drink to the memory of King William and to the oblivion of himself; but it was discovered that this ingenious idea had been forestalled by the Corporation, and it was determined, after mature consultation, to present the late Chancellor with a massive salver, upon which the principal incidents of his life should be represented. For the purpose of completing the commemorative donation, it became necessary to impose a new rate upon the loyalty of the bar. To this proposition the Commissioners of Bankrupts, notwithstanding their obligations to his Lordship, were at first strenuously opposed, not a single docket having been lately struck: but upon the change of Ministry, a rumor having gone abroad that Lord Manners was to return to administer justice, as he always did, indifferently in Ireland, the prudential objections of the judicial dignitaries of the Royal Exchange were laid aside. A sufficient fund has been collected, after a good deal of application to the political virtue and individual gratitude of the friends and admirers of Lord Manners, and a very fine piece of plate has been produced. It is not as yet quite finished; but, through the interest of Sergeant Lefroy with the pious silversmith to whom it has been intrusted, I have succeeded in obtaining an inspection. The salver contains, in exquisite relief, a record of the chief adventures of his Lord-

ship's judicial and political life, together with an exemplification of the most characteristic traits of his character. If a contemporaneous commentary were not published, the figures which are introduced into this memorial of legal sensibility might hereafter afford as much matter for skeptical speculation as the celebrated shield in "*Martinus Scriblerus.*" With a view, therefore, to assist the curiosity of future antiquarians some account of "The Manners Testimonial, or Forensic Souvenir," will be briefly given.

Upon the border, the busts of the most celebrated members of the bar, who have been most conspicuous in "getting the thing up," are admirably embossed. Mr. Whyte occupies, of necessity, a very considerable space in this part of the testimonial. A good deal of dead silver has been employed in doing him justice. Exactly opposite to Mr. Whyte, Mr. Peter Fitzgibbon Henchey appears with that look of egregious dignity which is peculiar to him. I am, however, inclined to think that the artist did not seize him at the most felicitous moment, for there is a touch of sadness in his importance. Perhaps the funds had sustained some sudden declination at the time; and the battle of Navarino has left its traces on his brow: or, peradventure (and that were the more amiable hypothesis), Mr. Henchey has discovered in Sir Anthony Hart a lamentable inferiority to his discriminating predecessor, and an unconstitutional disposition to lend an equal attention to the Catholics of the outer and to the Protestants of the inner bar. The rest of the heads that form a border to the testimonial are very exactly copied from most of the King's counsel, whom Lord Manners left as an appropriate deposite behind him. I do not know why Mr. Perrin and Mr. Richard Moore have been omitted.

But it is upon the reliefs in the body of the salver that the greatest skill has been displayed both in execution and in design. A series of beautiful biographical illustrations has been introduced, in the first of which Lord Manners appears, at the English bar, with an empty bag. In the background, the Minister is perceived eying him from a distance; while the Duke of Portland, who seems to be engaged in earnest discourse

with the official detector of latent desert, points with one hand to the House of Commons, and with the other to the Bench.

In the next scene his Lordship is represented, in the enactment of the part of Baron Manners at the Assizes of Lancaster, trying the case of Weld *v.* Hornby (reported in 7 East 195), when his Lordship delivered an illegal but constitutional charge against the Jesuits of Stonyhurst. The case involved the right of the Jesuits to fish in the river Ribble, and it is surprising what an early zeal in the cause of Protestantism was displayed by the puisne Baron, who was afterward intrusted with the selection of impartial magistrates in Ireland. In the execution of this relief, great ingenuity has been evinced. I can not, however, say that the workmanship has surpassed the materials. The courthouse is filled with Jesuits. They are without their caps and gowns, which at Stonyhurst they did not presume to wear, although at Clongowes Wood, under Mr. O'Connell's advice, and the Solicitor-General's opinion, the body-guard of the Pope appear in full regimentals. Notwithstanding the want of the insignia of Loyolism, it is easy, from the expression of their faces, to detect the disciples of Ignatius. I recognise the deeply-furrowed face of Mr. Plowden,* in which time never could succeed in impairing the powerful St. Omer's physiognomy, for which he was remarkable. The likeness is so faithful, that I am disposed to think that Mr. Cruize, who sprang out of the hot-bed of orthodoxy, must have supplied the artist with a sketch of his old confessor. The very able chairman of the county of Clare, together with Mr. Nicholas Ball, who is rising so rapidly to the first eminence at the bar, are represented among a group of boys in the gallery of the courthouse. I think that I can also discover, in an acrimonious-looking urchin, who is taking down a note of Baron Manners' charge, the face of Mr. Sheil. The Judge is in the act of addressing the jury, with strong indications of loyal excitement, over

* The late Francis Plowden was an Irish barrister, author of a History of Ireland, popular in his day. He wrote two or three other books, chiefly on legal subjects. He was sued for a libel in his History, and cast in five thousand pounds sterling damages, rather than pay which, he retired to France, where he died, in 1829, at an advanced age.—M.

the bench in which he presides. The artist has engraven the significant motto, "*Qualis ab incepto.*" In the perspective there is a representation of the English Court of King's Bench, with Lord Ellenborough laughing grimly at the misdirections of the learned Judge, whose verdict he is in the act of ignominiously setting aside. Some of Lord Manners's friends objected to the record of this early incident in his judicial story; but it was answered that the illegality of his opinions was more than counterbalanced by his zeal for the constitution, and that the evidence of his inveterate Protestantism should be preserved at the expense of his legal reputation. It was besides observed, and with reason, that however his judgment might be obscured by his emotions, yet the purity of his intentions could not be brought into question.

After this specimen of his feats upon the English Bench, the records of his Irish Chancellorship appear. He is represented, on his arrival in Ireland, with Mr. Saurin bidding him welcome. An earwig is seen creeping into his ear. This is fol lowed by Lord Manners presiding in court: Mr. O'Connell is addressing him, while his Lordship's eye is averted, and his cheeks are filled with the materials of a puff, which the learned Lord is preparing to discharge. The crier of the court is seen lighting the fire in the gallery, and throwing Vesey Junior and the Statutes into the flames. Various views of impatient adjudication occupy this part of the testimonial. The spirit of judicial hurry, for which his Lordship was remarkable, may at first view appear to be objectionable. But it must be remembered that, however the suitors may suffer, the counsel are gainers by the precipitation of a Judge. At present, for example, Sir Anthony Hart insists that due consideration shall be given to every cause of a difficult nature. The consequence is, that where twelve were heard, but not listened to, in a single day by Lord Manners, the present Chancellor bestows an equal time to a single cause. It is true that the parties are satisfied by his decision, and the occupation of Lord Redesdale in the House of Lords seems likely to be gone; but the counsel's fees are in proportion diminished; the crisp paper of the Bank of Ireland is no longer seen in such rapid circulation

through the inner bar; and Sergeant Lefroy having stated his case in the morning, has leisure during the rest of the day to devote himself to less sublunary pursuits, and may exclaim with Hamlet, "For my own poor part, I will go pray."

I do not think it necessary to go through the whole of the reliefs which are intended to illustrate Lord Manners's judicial excellences. Dow's parliamentary cases contain an ample commentary on his faculties. One scene, however, in the testimonial, relating to this portion of his Lordship's character, is deserving of mention. I allude to the case of "Pims, minors." Lord Manners decided, without principle or precedent, that the infant daughters of a Catholic mother should be removed from her society on account of her profession of the illegal religion. The artist has chosen the separation of Mrs. Pim and of her family for the manifestation of his pathetic powers. Lord Manners surveys the spectacle of domestic anguish with a calm philosophy, in the expression of which it was no doubt intended to intimate that his high sense of public duty subdued in his Lordship's mind those infirmities to which, wherever the interests of Protestantism were concerned, he was never known, although in many respects a kind and amiable man, to give way.

He is next represented in his capacity of Superintendent of the Magistracy of Ireland, and in the act of refusing the commission of the peace to Sir Patrick Bellew, a Roman Catholic baronet of ancient family, and of considerable fortune; while the description of individuals whom he considered entitled to that important trust is illustrated by a group of pauper justices in the county of Waterford, who are seen in the background. One would at first take them to be a corps of the Mendicity Association; but the commission of the peace, which is seen sticking out of the rents of their ragged pockets, indicates their office; while the lilies that hang from their tattered shirts are beautifully emblematic of their constitutional qualifications.

His Lordship next appears as a member of the House of Lords. He is seen addressing his brother-peers on the trial of the Queen, when he called the consort of a King, and the childless mother of a buried Princess, "this woman!" The feeling

of astonishment and disgust which pervades the House is well rendered. Even Lord Lauderdale himself looks surprised.

Some traits of his Lordship's domestic history succeed. He is represented as reading Fox's Martyrs to the Honorable Miss Butler, and reclaiming her from the errors of Popery—a temple of Hymen is seen in the distance.

His Lordship is afterward introduced at dinner. The object of this relief is to intimate his familiar cast of religious opinions. He was known to have as great a horror of a thirteenth at table as the Chief-Baron has of a thirteenth juror. The artist represents his Lordship surrounded by the ominous number, in a state of pious dismay.

This dinner-scene is followed in natural succession by a sermon at the Asylum in Leeson street. But there is nothing very remarkable in it, except the looks of profound reverence with which "the Saints" alternately direct their attention to the pulpit, which is occupied by Mr. Daly, and the pew in which the Chancellor is engaged in his devotions. I should not, however, omit to mention that the face of a Magdalen, peeping through the bars of the adjoining receptacle of repentant loveliness, at Mr. James Smith Scott, is beautifully finished, and that the mingled expression of reproach and of tenderness with which she regards him is admirably rendered.

But I find that I am dwelling with too minute an accuracy upon details; and while I am endeavoring to obviate by anticipation any doubts which may occur hereafter to the learned, who shall survey "The Manners Testimonial," I forget that I run the risk of wearying my readers of the present generation. I must, therefore, pass by many of the features of this beautiful piece of art, and leave them to puzzle posterity.

There is, however, one scene of splendid conviviality, on which I can not refrain from saying a word or two. I allude to the magnificent relief in the centre, which represents a meeting, at Morisson's Tavern, of the Beefsteak Club. Lord Rathdown, better known as Lord Monk, presides over the Bacchanalian confraternity. This is a wonderful likeness. The exact look has been preserved, which enabled him to play to admiration in the private theatricals at Kilkenny, at which his

Lordship's name appeared among the *dramatis personæ* in the following felicitous announcement: "Doodle, a foolish lord, Lord Monk." The noble Earl is represented in that felicitous moment when he gave as a toast, "The Pope in the pillory," with certain additional aspirations, which it is not necessary to record. The whole assembly of sympathizing compotators stand with uplifted glasses, replenished to the brim. The Irish Chancellor is seen at the right hand of the noble and intellectual chairman, in the usual "hip, hip, huzza" attitude. A ring, given him by the King during his visit in Ireland, sparkles on his finger, and he tramples the King's parting letter* under his feet.

* In this missive, written by Lord Sidmouth, as Home Secretary, in the name of George IV., it was strongly recommended that party squabbles should cease and liberality of thought and action be exercised in future.—M.

THE CATHOLIC DEPUTATION.

The Roman Catholic Association having resolved to petition the House of Commons against the Bill which was in progress for their suppression [in 1825], requested Mr. O'Connell and Mr. Sheil to attend at the bar of the house, and prayed that those gentlemen should be heard as counsel on behalf of the body in whose proceedings they had taken so active a participation.* They appeared to undertake the office with reluc-

* It may be necessary to preface this sketch with a rapid view of the position and prospects of the Catholic question at this time. In 1823, the Catholic Association was formed, and was in active operation during 1824. One result was that it literally put down the spirit of insurrection which had crowded the prison with inmates, and the gallows and the hulks with victims. It raised large sums, by means of small but numerous contributions to a fund called "The Catholic Rent." The Government, angry and jealous that the Association had restored that comparative tranquillity in Ireland which its own harsh rule had been unable to do, resolved that "it must be put down:"—and more particularly, as the general proceedings of this body were made very closely to resemble those of the Parliament in London. Accordingly, when the Session commenced, on February 3, 1825, the Ministerial document called "The speech from the Throne," suggested the suppression of the Association; and Mr. Goulburn, who was Irish Secretary, obtained leave to bring in a Bill for that purpose, on that day week. When intelligence of this reached Dublin, the Catholic Association resolved that a Deputation should be sent to London to watch over and take care of the interests of the Catholics. Messrs. O'Connell and Sheil were specially intrusted with this duty—all the Catholic Peers were declared members of the Deputation, which farther included as many members of the Association as chose to swell the cavalcade. Mr. Goulburn's bill was introduced. On February 17, 1825, Mr. Brougham presented a petition from the Catholics of Ireland, against a measure which so vitally threatened their interests, and moved that they be heard at the bar of the house, by themselves or their counsel, in opposition to the Act. This motion was keenly debated (as is described by Mr. Sheil in the text) and rejected by 222 to 189

tance. It involved a great personal sacrifice upon the part of Mr. O'Connell; and, independently of any immediate loss in his profession, Mr. Shiel could not fail to perceive that it must prejudice him in some degree as a barrister, to turn aside from the beaten track of his profession, in the pursuit of a brilliant but somewhat illusory object. It was, however, next to impossible to disobey the injunction of a whole people — they accepted of this honorable trust. At the same time that counsel were appointed, it was determined that other gentlemen should attend the debates of the House of Commons in the character of deputies, and should constitute a sort of embassy to the English people.

The plan of its constitution was a little fantastic. Any person who deemed it either pleasurable or expedient to attach himself to this delegation was declared to be a member, and, in consequence, a number of individuals enrolled themselves as volunteers in the national service. I united myself to these political missionaries, not from any hope that I should succeed in detaching Lord Eldon from the church, or in banishing the fear of Oxford from the eyes of Mr. Peel,* but from a natural curiosity to observe the scenes of interest and novelty, into which, from my representative character, I thought it not improbable that I should be introduced. I set out in quest of

votes. The Association-suppression bill passed rapidly through the Commons: reached the Lords, on the first, and received the Royal Assent on the ninth of March, 1825. Almost as a matter of course, and as if to fulfil O'Connell's boast that he "could drive a coach-and-four through any Act of Parliament," a new Catholic Association immediately sprung up out of the ashes of the old.—M.

* Peel was educated at Harrow, where Byron was his schoolmate. Thence he went to Oxford University, where he graduated with the highest honors, rarely conferred upon one person, though his successor Mr. Gladstone also won them. He took what is called "double-first" honors—i. e. in classics and science. When Abbott, the Speaker, was raised to the peerage in 1817, Peel was elected to succeed him as member for his Alma Mater, and retained this distinction (which, on account of his support of Catholic Emancipation, Canning had vainly sighed for, as he confessed, at the close), until 1829, when, ceasing to be Peel the intolerant, he rendered justice to the Catholics, and was defeated, on a contest for the seat for the University, by Sir. R. H. Inglis, a man of small ability but extensive illiberality. In 1825, as an Anti-Catholic, Peel was popular at Oxford.—M.

political adventure, and determined to commit to a sort of journal whatever should strike me to be deserving of note. Upon my return to Ireland, I sent to certain of my friends some extracts from the diary which I had kept, in conformity with this resolution. They told me that I had heard and seen much of what was not destitute of interest, and, at their suggestion, I have wrought the observations, which were loosely thrown together, into a more regular shape; although they will, I fear, carry with them an evidence of the haste and heedlessness with which they were originally set down.

The party of deputies to which I had annexed myself travelled in a barouche belonging to Mr. O'Connell, of which he was kind enough to offer us the use. I fancy that we made rather a singular appearance, for the eyes of every passenger were fixed upon us as we passed; and at Coventry (a spot sacred to curiosity), the mistress of the inn where we stopped to change horses, asked me, with a mixture of inquisitiveness and wonder, and after many apologies for the liberty she took in putting the interrogatory, "who the gentlemen were?" I contented myself with telling her that we were Irish. "Parliament folk, I suppose?" to which, with a little mental reservation, I nodded assent.

Mr. O'Connell, as usual, attracted the larger portion of the public gaze. He was seated on the box of the barouche, with a huge cloak folded about him, which seemed to be a revival of the famous Irish mantle; though far be it from me to insinuate that it was ever dedicated to some of the purposes to which it is suggested, by Spenser, that the national garment was devoted. His tall and ample figure enveloped in the trappings that fell widely round him, and his open and manly physiognomy, rendered him a very conspicuous object, from the elevated station which he occupied. Wherever we stopped, he called with an earnest and sonorous tone for a newspaper, being naturally solicitous to learn whether he should be heard at the bar of the house; and, in invoking "mine host," for the parliamentary debates, he employed a cadence and gesture which carried along with them the unequivocal intimations of his country.

Nothing deserving of mention occurred until we had reached Wolverhampton. We arrived at that town about eight o'clock in the morning, with keener appetites than befitted the season of abstinence [Lent], during which we were condemned to travel. The table was strewed with a tantalizing profusion of the choicest fare. Every eye was fixed upon an unhallowed round of beef, which seemed to have been deposited in the centre of the breakfast-room with a view to "lead us into temptation," when Mr. O'Connell exclaimed, "Recollect that you are within sacred precincts. The conqueror of Sturges, and the terror of the Vetoists, has made Wolverhampton holy." This admonition saved us on the verge of the precipice — we thought that we beheld the pastoral staff of the famous Doctor raised up between us and the forbidden feast, and turned slowly and reluctantly from its unavailing contemplation to the lenten mediocrity of dry toast and creamless tea. We had finished our repast, when it was suggested that we ought to pay Doctor Milner* a visit before we proceeded upon our journey. This proposition was adopted with alacrity, and we went forth in a body in quest of that energetic divine. We experienced some little difficulty in discovering his abode, and received most evangelical looks and ambiguous answers to our inquiries. A damsel of thirty, with a physiognomy which was at once comely and demure, replied to us at first with a mixture of affected ignorance and ostentatious disdain;

* At this time (1825), Dr. John Milner, the eminent Catholic controversialist, was seventy-three years old; he died in 1826. — Born in 1752, he completed his education at Douay, in France, was ordained a priest in 1777, and was stationed, two years after, at Winchester, where there were several French prisoners who were Catholics. In 1782, he published a funeral discourse on the death of Bishop Challoner, and became a voluminous writer. His learning, research, and skill, as an Antiquarian, were displayed in his History of the Antiquities of Winchester, and other works of merit. In his limited History he offended the prejudices of Dr. Sturges, a prebendary of the Cathedral, who assailed him in a History of Popery, to which the reply was Milner's well-known Letters to a Prebendary, in which he boldly and ably defended the Papal Church. He had a somewhat angry discussion, also, with Charles Butler, the Catholic barrister, on ecclesiastical points. In 1803, Dr. Milner was appointed Vicar-Apostolic in the Midland District of England, and removed to Wolverhampton — he was now Bishop of Castabala, *in partibus*. In 1818

until Sir Thomas Esmonde,* who is "a marvellous proper" man in every sense of the word, whether it be taken in its physical or moral meaning, addressed the fair votary of Wesley with a sort of chuck-under-the-chin manner (as Leigh Hunt would call it), and, bringing a more benign and feminine smile upon a face which had been over-spiritualized by some potent teacher of the word, induced the mitigated methodist to reply, "If you had asked me for the Popish priest, instead of the Catholic bishop, I should have told you that he lived yonder," pointing to a large but desolate-looking mansion before us.

We proceeded, according to her directions, to Dr. Milner's residence. It had an ample but dreary front. The windows were dingy and covered with cobwebs, and the grass before the door seemed to illustrate the Irish imprecation. It is separated from the street by a high railing of rusty metal, at which we rang several times without receiving any response. It was suggested to us, that if we tried the kitchen-door, we should probably get in. We accordingly turned into a lane, leading to the postern-gate, which was opened by an old and feeble, but very venerable gentleman, in whom I slowly recognised the active and vigorous prelate whom I had seen some years ago in the hottest onset of the Veto warfare in Ireland. His figure had nothing of the Becket port which formerly belonged to it. A gentle languor sat upon a face which I had seen full of fire and expression; his eye was almost hid under the relaxed and dropping eyelid, and his voice was querulous, undecided, and weak. He did not recollect Mr. O'Connell, and appeared at a loss to conjecture our purpose. "We have come to pay you a visit, my lord," said Mr. O'Connell. The interpellation was pregnant with our religion; "my lord," uttered with a vernacular richness of intonation, gave him an

he published his "End of Religious Controversy," one of the ablest defences of the points in the Catholic faith, to which Protestants most commonly object. Bishop Milner was an amiable and pious man, and much beloved in the district over which he had ecclesiastical rule.—M.

* Sir Thomas Esmonde was an Irish Catholic baronet, who took a lively interest and an active part in Catholic politics, before the passing of the Relief Bill, in 1829.—M.

assurance that we were from "the Island of Saints," and on the right road to heaven.*

He asked us, with easy urbanity, to walk in. We found that he had been sitting at his kitchen-fire, with a small cup of chocolate, and a little bread, which made up his simple and apostolic breakfast. There was an English neatness and brightness in everything about us, which was not out of keeping with the cold but polished civility of our reception.

The Doctor was, for a little while, somewhat hallucinated, and still seemed to wonder at our coming. There was an awkward pause. At length Mr. O'Connell put him "*au fait.*" He told him who he was, and that he and his colleagues were going to London to plead the cause of their holy religion. The name of the counsellor did not give the Doctor as electric a shock as I had expected: he merely said that we did him very great honor, and wished us every success. He requested us to walk up stairs, and welcomed us with much courtesy, but little warmth. Time had been busy with him. His faculties were not much impaired, but his emotions were gone. His ideas ran clearly enough, but his blood had ceased to flow. We sat down in his library. The conversation hung fire. The inflammable materials of which his mind was originally composed, were damped by age. O'Connell primed him two or three times, and yet he did not for a long while fairly go off.

I resolved to try an expedient by way of experiment upon episcopal nature, and, being well aware of his feuds with Mr. Charles Butler† (the great lawyer and profound theologian of

* In the mediæval ages, when the rest of Europe was much obscured by ignorance, learning was largely cultivated in Ireland, which, from the large number of eminent and pious ecclesiastics which she then produced, was called "The Island of Saints."—M.

† Charles Butler, born in 1750, did not die until 1832. He was a Catholic who had closely studied the law, and, as a conveyancer, was held in high repute He was an accomplished scholar. His "Notes to Coke upon Littleton" are prized by black-letter lawyers, and his "Reminiscences" are full of political, literary, and personal information. The rest of his works, which were numerous, were chiefly ecclesiastical, with, now and then, a political pamphlet. His Lives of the Saints, Historical Account of the Laws against the Roman Catholics, and his Book of the Catholic Church, excited great interest when they appeared, and still rank as standard works.—M.

Lincoln's Inn), asked him, with much innocence of manner, though I confess with some malice of intent, "whether he had lately heard from his old friend Charles Butler?" The name was talismanic—the resurrection of the Doctor's passions was instantaneous and complete. His face became bright, his form quickened and alert, and his eye was lighted up with true scholastic ecstasy. He seemed ready to enter once more into the rugged field of controversy, in which he had won so many laurels, and to be prepared to "fight his battles o'er again." To do him justice, he said nothing of his ancient antagonist in polemics which a bishop and a divine ought not to say: he, on the contrary, mentioned that a reconciliation had taken place. I could, however, perceive that the junction of their minds was not perfectly smooth, and saw the marks of the cement which had "soldered up the rift." The *odium theologicum* has been neutralized by an infusion of Christianity, but some traces of its original acidity could not fail to remain. He spoke of Mr. Butler as a man of great learning and talents; and I should mention parenthetically that I afterward heard the latter express himself of Doctor Milner as a person of vast erudition, and who reflected honor, by the purity of his life, and the extent of his endowments, upon the body to which he belonged. The impulse given to his mind by the mention of his achievements in controversy, extended itself to other topics. Cobbett had done, said Doctor Milner, service to Ireland, and to its religion, by addressing himself to the common sense of the English people, and trying to purge them of their misconceptions respecting the belief of a great majority of the Christian world.*

The Doctor spoke with a good deal of energy of the contests

* Cobbett's "History of the Protestant Reformation," had an immense sale in Great Britain and Ireland, was repeatedly and largely reprinted in America, and was translated into several European languages. It is full of interest—partly arising from the number and variety of its episodes on the popular topics of the day, and partly from the manner in which the writer showed up and condemned the spoliation of the Anglican Church, by Henry VIII., when he thought that "Gospel truth first beamed from Bullen's eyes." It was a singular book, at all events, for a Protestant (which Cobbett professed to be) to have written.—M.

which had been carried on between the clergy and the itinerant missionaries of the Bible Society in Ireland, and congratulated Mr. O'Connell and Mr. Sheil on their exertions in Cork, from which the systematic counteraction of the new apostles had originated.* Mr. O'Connell expressed his obligations upon this occasion to Doctor Milner's celebrated, and, let me add, admirable work, which has been so felicitously entitled "The End of Religious Controversy."—"Oh!" said the Doctor, "I am growing old, or I should write a supplement to that book." After some further desultory conversation, we took our leave. Doctor Milner, who had been aroused into his former energy, thanked us with simple and unaffected cordiality for our visit. He conducted us to the gate before his mansion (in which I should observe that neither luxury nor want appear), with his white head uncovered, and, with the venerable grace of age and piety, bade us farewell.

We proceeded upon our journey. No incident occurred deserving of mention, unless a change in our feelings deserves the name. The moment we entered England, I perceived that the sense of our own national importance had sustained some diminution, and that, however slowly and reluctantly we acknowledged it to ourselves, the contemplation of the opulence which surrounded us, and in which we saw the results and evidences of British power and greatness, impressed upon every one of us the consciousness of our provincial inferiority, and the conviction that it is only from an intimate alliance with Great Britain, or rather a complete amalgamation with her immense dominion, that any permanent prosperity can be reasonably expected to be derived. In the sudden transition from the scenes of misery and sorrow to which we are habituated

* In 1824, when the Protestant Reformation Society held a public meeting at Cork, a great deal of good and earnest abuse was poured out, by the clerical speakers, against the Catholics and the Pope. O'Connell, Sheil, and other Catholics, interrupted the proceedings, demanding to be heard, on the principle of fair play, in defence of their religion. This having been conceded, they delivered some very admirable polemical harangues, which the Reformation party did not even attempt to answer. It was considered, therefore, that the Catholic party, who remained masters of the field, had triumphed in the contest.—M.

in Ireland to the splendid spectacle of English wealth and civilization, the humiliating contrast between the two islands presses itself upon every ordinary observer. It is at all times remarkable. Compared to her proud and pampered sister, clothed as she is in purple and in gold, Ireland, with all her natural endowments, at best appears but a squalid and emaciated beauty. I have never failed to be struck and pained by this unfortunate disparity; but upon the present occasion the objects of our mission, and the peculiarly national capacity in which we were placed in relation to England, naturally drew our meditation to the surpassing glory of the people of whom we had come to solicit redress.

An occasional visit to England has a very salutary effect. It operates as a complete sedative to the ardor of the political passions. It should be prescribed as a part of the antiphlogistic regimen. The persons who take an active part in the impassioned deliberations of the Irish people are apt to be carried away by the strength of the popular feelings which they contribute to create. Having heated the public mind into an ardent mass of emotion, they are themselves under the influence of its intensity. This result is natural and just: but among the consequences (most of which are beneficial) which have arisen from the habitual excitation, and to which the Catholics have reasonably attributed much of their inchoate success, they have forgotten the effect upon themselves, and have omitted to observe in their own minds a disposition to exaggerate the magnitude of the means by which their ends are to be accomplished. In declaiming upon the immense population of Ireland, they insensibly put out of account the power of that nation from whom relief is demanded, and who are grown old in the habit of domination, which of all habits it is most difficult to resign.

A man like Mr. O'Connell who, by the force of his natural eloquence produces a great emotion in the midst of an enthusiastic assembly of ardent and high-blooded men — who is hailed by the community, of which he is the leading member, as their chief and champion — who is greeted with popular benedictions as he passes — whose name resounds in every alley, and "stands

rubric" on every wall — can with difficulty resist the intoxicating influence of so many exciting causes, and becomes a sort of political opium-eater, who must be torn from these seductive indulgences, in order to reduce him into perfect soundness and soberness of thought. His deputation to England produced an almost immediate effect upon him. As we advanced, the din of popular assemblies became more faint: the voice of the multitude was scarcely heard in the distance, and at last died away. He seemed half English at Shrewsbury, and was nearly Saxonized when we entered the murky magnificence of Warwickshire. As we surveyed the volcanic region of manufactures and saw a thousand Etnas vomiting their eternal fires, the recollections of Erin passed away from his mind, and the smoky glories of Skifton* and Wolverhampton took possession of his soul. The feeling which attended our progress through England was not a little increased by our approach to its huge metropolis. The waste of wealth around us, the procession of ponderous vehicles that choked the public roads, the rapid and continuous sweep of carriages, the succession of luxurious and brilliant towns, the crowd of splendid villas, which Cowper has assimilated to the beads upon the neck of an Asiatic Queen, and the vast and dusky mass of bituminous

* Shifnal is the name of the place. It is situated between the busy little town of Wellington, in Shropshire, and the important borough of Wolverhampton, in Staffordshire. Shifnal is only important as being the centre of a great iron and coal district. Travellers to and from Ireland, viâ Holyhead, in the old time of mail-coaches, used to be startled, on a dark night, in rapidly passing over miles upon miles of a road, through a country, where, all around far as the eye could take in at one view, immense furnaces flung a lurid light through the gloom — which seemed all the gloomier by contrast — and hundreds of men flitted to and fro, feeding these furnaces with coal or throwing in heaps of the limestone used to flux the liquid iron as it was separated from the ore by heat. The sulphurous smell, from the immense quantity of coal thus consumed, is so unpleasant and unwholesome, that, rather than inhale it,

"The boldest held their breath,
For a time."

The railway from Wolverhampton to Shrewsbury passes through the Shifnal district — but travelling at forty miles an hour allows not much more than a few minutes' glance at the fiery furnaces I speak of. This is the scene of one of the most touching adventures of Dickens' Little Nelly. — M.

vapor which crowns the great city with an everlasting cloud, intimated our approach to the modern Babylon.

Upon any ordinary occasion I should not, I believe, have experienced any strong sensation on entering London. What is commonly called "coming up to town," is not a very sublime or moving incident. I honestly confess that I have upon a fine summer morning stood on Westminster Bridge, upon my return from the brilliant inanities of Vauxhall, and looked upon London with a very drowsy sympathy in the meditative enthusiasm which breathes through Wordsworth's admirable sonnet. But upon the occasion which I am describing, it needed little of the spirit of political romance to receive a deep and stirring impulse, as we advanced to the great metropolis of the British empire, and heard the rolling of the great tide—the murmurs, if I may so say, of the vast sea of wealth before us. The power of England was at this moment presented to us in a more distinct and definite shape, and we were more immediately led, as we entered London, to bring the two countries into comparison. This, we exclaimed, is London, and the recollection of our own Eblana* was manifest in the sigh with which the truism was spoken: yet the reflection upon our inferiority was not unaccompanied by the consolatory anticipation that the time was not distant, when we should be permitted to participate in all the advantages of a real and consummated junction of the two countries, when the impediments to our national prosperity should be removed, and Ireland should receive the ample overflowings of that deep current of opulence which we saw almost bursting through its golden channels in the streets of the immense metropolis.

Immediately after our arrival, we were informed by the agent of the Roman Catholic Association in London, Mr. Æneas M'Donnel† (and who, in the discharge of the duties

* Eblana is the Latin name of Dublin, and that by which that city was designated in early law documents.—M.

† Æneas M'Donnel, who had been editor of the *Cork Mercantile Chronicle*, was a good speaker and clever writer, who soon transferred himself to Dublin. Taking an active part in Catholic politics, he was appointed salaried agent for the Irish Catholics, and sent to London. He performed his duty, with ability and zeal, until 1829, when Emancipation was granted. From that time, his

confided to him, has evinced great talents, judgment, and discretion), that Sir Francis Burdett* was desirous to see us as soon as possible. We accordingly proceeded to his house in St. James's Place, where we found the Member for Westminster living in all the blaze of aristocracy. I had often heard Sir Francis Burdett in popular assemblies, and had been greatly struck with his simple, easy, and unsophisticated eloquence :—I was extremely anxious to gain a nearer access to a person of so much celebrity, and to have an opportunity of observing the character and intellectual habits of a man who had given so

course was altered by his applying himself, in the *London Standard* and other ultra-Tory Journals, to constant abuse of Mr. O'Connell, on the plea that Irish agitation ought to have ceased when Emancipation was obtained. Mr. M'Donnell is still living, and resides in London.—Lord Norbury, who never could resist a joke, on seeing M'Donnell coming out of the house of Dr. Troy, the Catholic Archbishop of Dublin, exclaimed, "There is the pious Æneas returning from the sack of Troy!"—It is well that a pun need not involve a *fact*, as Dr. Troy, who was the reverse of Falstaff, eschewed sack and other wines—his limited resources being distributed among the needy. When he died, the sum of a guinea was all that was found in the purse of this primitive Archbishop.—M.

* Sir Francis Burdett, whose rank and great fortune entitled him to a place among the British Aristocracy, was a most violent democrat, from his starting into public, until the last seven years of his life. He derived his political bias from Horne Tooke, author of The Diversions of Purley. Born in 1770, he entered Parliament in 1796, and immediately opposed Pitt's Government. With little intermission, he had a seat in the House of Commons until his death in 1844. Constantly opposing every Tory Ministry, in 1810, Burdett having published a letter to his constituents, in which (in no very measured terms) he said, that the House of Commons had illegally exercised their power in committing Gales Jones to prison, the speaker issued his warrant to apprehend him and convey him to the Tower, for "gross breach of privilege." Burdett barricaded his house in London, prepared to resist, and would have been backed by the populace, who loved him. He was taken to the Tower, however, and confined there until the prorogation of Parliament. He constantly supported liberal measures, which made him a sort of Pariah among the noble and the wealthy, and subjected him to imprisonment and fine. He advocated Parliamentary Reform, and Catholic Emancipation—but, in 1837, "England's pride and Westminster's Glory," as he was fondly styled, picking a quarrel with O'Connell, went over to the Tory party, and continued with them ever after.—He married one of the daughters of Thomas Coutts, the rich London banker, and their daughter, Angela Burdett, was left all the Coutts' fortune, by the banker's second wife (Harriet Mellon, an actress), whose second husband was the Duke of St. Albans.—M.

much of its movement to the public mind. He was sitting in his study when we were introduced by Mr. M'Donnel. He received us without any of that *hauteur* which I have heard attributed to him, and for which his constitutional quiescence of manner is sometimes mistaken. We, who have the hot Celtic blood in our veins, and deal in hyperbole upon occasions which are not calculated to call up much emotion, are naturally surprised at what we conceive to be a want of ardor upon themes and incidents in which our own feelings are deeply and fervently engaged.

During my short residence in London, I constantly felt among the persons of high political influence to whom we approached, a calmness, which I should have taken for the stateliness of authority in individuals, but that I found it was much more national than personal, and was, in a great degree, a universal property of the political world. There was a great deal of simple dignity, which was entirely free from affectation in the address of Sir Francis Burdett. Having requested us to sit, which we did in a large circle (his first remark indeed was, that we were more numerous than he had expected), he came with an instantaneous directness to the point, and after a few words of course upon the honor conferred upon him by being intrusted with the Catholic question, entreated us with some strenuousness to substitute Mr. Plunket in his place; he protested his readiness to take any part in the debate which should be assigned him; but stated, that there was no man so capable, and certainly none more anxious than the Attorney-General for the promotion of our cause. But for the plain and honest manner in which this exhortation was given, I should have suspected that he was merely performing a part—but I have no doubt of the sincerity with which the recommendation was given.

He dwelt at length upon the great qualifications of Mr. Plunket as a parliamentary speaker, and pressed us to waive all sort of form with respect to himself, and put him at once aside for an abler advocate. We told him that it was out of our power to rescind the decision of an aggregate meeting. This he seemed to feel, and said that he should endeavor to

discharge the trust as efficiently as he was able. His heart, he said, was in the question—he knew that there could not be peace in Ireland until it was adjusted; and for the country he professed great attachment. He loved the people of Ireland, and it was truly melancholy to see so noble a race deprived of the power of turning their great natural endowments to any useful account. These observations, which an Irishman would have delivered with great emphasis, were made by Sir Francis Burdett almost without a change of tone or look. He made no effort at strong expression. Everything was said with great gentleness, perspicuity, and candor. I thought, however, that he strangely hesitated for common words. His language was as plain as his dress,* which was extremely simple, and indicated the favorite pursuit of a man who is "mad at a foxchase, wise at a debate."

I watched his face while he spoke. His eyes are small and bright, but have no flash or splendor. They are illuminated by a serene and tranquil spirit: his forehead is high and finely arched, but narrow and contracted, and, although his face is lengthy, its features are minute and delicately chiselled off. His mouth is extremely small, and carries much suavity about it. I should have guessed him at once to be a man of rank, but should not have suspected his spirit to be a transmigration of Caius Gracchus. I should never have guessed that he was the man whose breath had raised so many waves upon the public mind, and aroused a storm which made the vessel creak. I saw no shadow of the "tower of Julius" in his pure and ruddy color, and should never have conjectured that he had inhaled the evaporations of its stagnant moat.† At the same time I should observe that, if there were no evidences of a daring or adventurous spirit about this champion of the people, there are in his demeanor and bearing many indications of calm resolve and imperturbable determination.

* Summer or winter, Burdett appeared in the House of Commons in one invariable costume—broad-brimmed hat, blue, brass-buttoned coat, drab breeches, and top-boots; the regular dress, in fact, of a country-gentleman fond of field-sports.—M.

† At present, the moat which surrounds the Tower of London, is a moat *minus* water.—M.

I was a good deal more occupied in watching this celebrated person than in observing my companions. Yet I at once perceived that we were too numerous and gregarious a body for a council of state, and was glad to find Mr. O'Connell take a decided, and what was considered by some to be, a dictatorial tone among us. I saw that unless some one individual assumed the authority of speaking and acting for the rest, we should, in all likelihood, be involved in those petty squabbles and miserable contentions of which Bonaparte speaks as characteristic of the Irish deputies who were sent to Paris to negotiate a revolution.* I was much pleased to find that Mr. O'Connell gave, even in this early communication, strong proof of that wise, temperate and conciliatory spirit, by which his conduct in London was distinguished, and by the manifestation of which he conferred incalculable service on his country.

After this interview with Sir Francis Burdett, the chief object of which, upon his part, was to sound our disposition to confide the conduct of our cause to the Irish Attorney-General [Plunket], we proceeded to the House of Commons, for the purpose of attending the debate upon the petition to be heard by counsel at the bar. We had already been informed by Sir Francis Burdett that it was very unlikely that the House would accede to the petition, and that Ministers had collected their forces to oppose it.† For the result we were therefore pre-

* Napoleon's opinion, as reported by O'Meara, is unequivocal: "If the Irish had sent over honest men to me, I would certainly have made an attempt upon Ireland. But I had no confidence in either the integrity or the talents of the Irish leaders that were in France. They could offer no plan, were divided in opinion, and continually quarrelling with each other."—M.

† Lord Liverpool was at the head of that Ministry; Eldon was Chancellor: Peel, Home Secretary, and Mr. Canning the only member of the Cabinet who supported Catholic Emancipation. The petition from the Catholics of Ireland was intrusted, not to Plunket, who had constantly and ably advocated their claims (and was now a little out of favor because, as Irish Attorney-General, he had supported the measure for putting down the Association), but to Burdett, who presented it, March 1, 1825, and then moved for a committee of Catholic inquiry. He was supported, among others, by Plunket, Canning, and Brougham, and strongly opposed by Peel:—but the motion was carried by 247 to 234 and the Bill eventually passed the Commons. But between the first and second readings, the Duke of York, next heir to the Throne, made a speech, on April

pared; but we were extremely anxious to hear a discussion, in which Mr. Brougham was expected to display his great powers, and in which the general demerits of the association would in all probability be brought by Ministers under review. The Speaker* had the goodness to direct that the Catholic deputies should be allowed to sit under the gallery during the discussions which appertained immediately to the object of their mission; and we were, in consequence, accommodated with places upon this vantage-ground, from which I had an opportunity of observing the orators of the night. We found a considerable array in the House, and attracted universal observation.

In the front of our body was Mr. O'Connell, upon whom every eye was fixed. He affected a perfect carelessness of manner; but it was easy to perceive that he was full of restlessness and inquietude under an icy surface. I saw the current eddying beneath. Next him was Mr. O'Gorman, who carried a most official look as secretary to the Catholics of all Ireland, and seemed to realize the *beau-ideal* of Irish self-possession. (I should observe, by-the-way, that Mr. O'Gorman

25, 1825, in which, after declaring his hostility to the Catholic claims, he publicly vowed never to abate it, and affirmed this declaration, as if on oath, by the concluding words—"So help me God." This manifesto led to the loss of the measure in the Lords. In Moore's emphatic poem, "The Irish Slave," written, in 1827, on the death of the Duke of York, he thus alluded to this vow:—

"He had pledged a hate unto me and mine,
He had left to the future nor hope nor choice,
But sealed that hate with a Name Divine,
And now he was dead, and—I *couldn't* rejoice."

The Duke's speech was delivered, it has always been believed, at the instigation of Lord Eldon.—M.

* The Speaker was Charles Manners Sutton, who held that office, by repeated re-elections, from 1817 until 1835, when he was opposed by Mr. James Abercrombie, a Whig lawyer (and steward, or sort of upper-servant to the Duke of Devonshire), and rejected by a majority of ten. The ground for this opposition and rejection was a surmise that Manners Sutton had taken an active part in forming the Peel Ministry, in December, 1834. He was finally created Viscount Canterbury. As Speaker, his urbanity of manners and impartiality of conduct were remembered, when too late, in contrast with his successor Abercrombie, who was bearish and partial.—M.

was of great use in London in controlling that spirit of dispu tation among the deputies to which Irishmen are habitually prone, and which it required the perfect good-humor and excellent disposition of the learned functionary to assuage.)

The House began to fill about eight o'clock. The aspect of the members was not in general very imposing. Few were in full dress, and there was little, in the general demeanor of the representatives of the people, which was calculated to raise them in my reverence. This absence, or rather studious neglect, of ceremony, is perhaps befitting an assembly of the "citizens and burgesses in Parliament assembled." I remarked that some of the members were distinguished for their spirit of locomotion. The description of "the Falmouth — the heavy Falmouth coach," given by a jocular Secretary of State,* had prepared me to expect in a noble Lord a more sedentary habit of body; but he displayed a perfect incapacity to stay still, and was perpetually traversing the House, as if he wished, by the levity of his trip and the jauntiness of his movements, to furnish a practical reputation of ministerial merriment.

After some matters of form had been disposed of, Mr. Brougham rose to move, on behalf of the Association, that counsel should be heard at the bar of the House.† I had seen

* One of Canning's elaborated and therefore rather dull jokes at Lord Nugent, who was stout in person, having gone over to assist the Spanish liberals, in 1822. Lord N., it seems, put himself into the Falmouth mail.—M.

† To do anything like justice to the cyclopædiac knowledge, stirring eloquence, scientific discoveries, literary productions, philosophic researches, and public services of Henry Brougham, the great law-reformer, would require the compass of a volume rather than the narrow limit of a note. In another and future publication, perhaps, I may be tempted to trace his course, and sketch his character.—Born in Edinburgh (No, 19 St. Andrew's Square), on September 19, 1779, he was called to the Scottish bar at an early age, and practised there until 1807, his friends and companions being Jeffrey, Cockburn, and oth ers who have attained eminence. Appearing before the House of Lords, in the Roxburgh peerage case, he so much distinguished himself, that he was strongly urged to leave the Scotch for the English bar, which he did. Henceforth, his course was one of increasing distinction. In 1810, he entered Parliament, on the liberal side, and distinguished himself by speaking against the Orders in Council, which caused the last war between England and America. In 1820, as Attorney-General to Queen Caroline, he successfully defended her

Mr. Brougham several years before, and immediately observed a great improvement in his accomplishments as a public speaker. Nature has not, perhaps, been very favorable to this very eminent man in his merely physical configuration. His person is tall, but not compact or well put together. There is a looseness of limb about him, which takes away from that stability of attitude which indicates the fixedness of the mind. His chest is narrow—he wants that bulk which gives Plunket an Atlantean massiveness of form, mentioned by Milton as the property of a great statesman. The countenance of Mr. Brougham wants symmetry and refinement. His features are strong, but rather wide. He has a Caledonian prominence of bone. His complexion indicates his intellectual habits, and is "sicklied o'er by the pale cast of thought." It seems smoked by the midnight lamp. His eyes are deeply sunk, but full at once of intensity and meditation. His voice is good—it is clear, articulate, and has sufficient melody and depth. He has the power of raising it to a very high key, without harshness or discord, and when he becomes impassioned he is neither hoarse nor shrill.

Such is the outward man; and if he has defects, they are not so numerous or so glaring as those over which the greatest orator of antiquity obtained a victory. In his ideal picture of a public speaker, Homer represents the most accomplished artificer of words as a person with few if any personal attractions. The characteristics of Brougham's oratory are vigor and passion. He alternates with great felicity. He possesses in a high degree the art of easy transition from impetuosity to

in her trial before the House of Lords. In 1827, he liberally supported the Government of Canning, with whom he had a personal quarrel some years before. In 1830, he was made Lord-Chancellor, on Lord Grey coming into power, and created Baron Brougham and Vaux. He had strongly supported Catholic Emancipation, and he now battled, with immense force, against the Aristocracy, and won Parliamentary Reform for the People. He left office in November, 1834, when (at the instance of Queen Adelaide?) the Melbourne Ministry were suddenly dismissed by William IV.—He has not since taken office, but has carried out Law Reform, has been active in varied literary and political composition, has made important researches in science, and has devoted himself, in the Lords, to the hearing of appeals from the courts of law. He is now [1854] in his seventy-fifth year, hale in health and strong in mind.—M

demonstration. His blood does not become so over-heated as to render it a matter of difficulty for him to return to the tone and language of familiar discourse—the prevalent tone and language of the House of Commons. A man who can not rise beyond it will never make a great figure; but whoever can not habitually employ it will be accounted a declaimer, and will fall out of parliamentary favor. Mr. Brougham's gesture is at once senatorial and forensic. He uses his arms like an orator, and his hands like a lawyer. He employs great sweep of action, and describes segments of circles in his impassioned movements: here he forgets his forensic habitudes: but when he is either sneering or sophisticating, he closes his hands together with a somewhat pragmatical air, or uniting the points of his forefingers, and, lifting them to a level with his chair, embodies in his attitude the minute spirit of *nisi prius*. If he did this and nothing else, he would hold no higher place than the eternal Mr. Wetherell in the House.* But what, taken apart, may appear an imperfection, brings out the nobler attributes of his mind, and, by the contrast which it presents, raises his better faculties into relief.

Of the variety, nay, vastness of his acquirements, it is unnecessary to say anything: he is a kind of ambulatory encyclopedia, and brings his learning to bear upon every topic on which he speaks. His diction is highly enriched, or, if I may so say, embossed with figures executed after the pure clas-

* Sir Charles Wetherell was made Solicitor-General in 1821. Born in 1770 he was called to the bar in 1794, and practised for some time at the common law bar, but settled down, finally, into immense practice in chancery. He entered Parliament in 1818, and his careless dress, eccentric manner, and extraordinary way of speaking made him more noted than eminent. In 1827, when Copley (now Lord Lyndhurst) was made Master of the Rolls, he was succeeded as Attorney-General by Wetherell, who resigned, in 1829, on the Catholic Relief Bill being brought in without consulting him, the first law officer of the Crown. He opposed Catholic Emancipation and Parliamentary Reform, and quitted Parliament when the latter measure was passed. In the autumn of 1831, when he was unpopular, as an anti-Reformer, he appeared at Bristol to hold the Sessions, as Recorder of that city. He was mobbed, narrowly escaping with his life, and Bristol was the scene of dreadful riots, burning, and other devastations for the following day and night. He was one of the best equity lawyers of his time. He died immensely rich, in 1846, aged seventy-six.—M

sical model; yet there are not, perhaps, any isolated passages which are calculated to keep a permanent residence in the recollection of his hearers. He does not venture, like Plunket, into the loftiest regions of eloquence; he does not wing his flight among those towering elevations which are, perhaps, as barren as they are high; but he holds on with steady continuity in a very exalted course, and never goes out of sight. His bursts of honest vehemence, and indignant moral reprobation, are very fine. He furnished, upon the night on which I heard him, an admirable exemplification of this commanding power. I allude to his reply to Mr. Peel upon the charges made against Hamilton Rowan.*

The Secretary for the Home Department is said to have delivered, upon this occasion, one of the best speeches which he ever pronounced in parliament. I own that he greatly surpassed my expectations. I was prepared, from the perusal of his speeches, and the character which I had heard of him, for a display of frigid ingenuity, delivered with a dapper neatness and an ironical conceit. I heard the late Mr. Curran say that "Peel was a mere official Jack-an-apes," and had built my conceptions of him upon a phrase which, valueless as it may appear, remained in my memory. But I was disabused of this erroneous impression by his philippic against the Association.

* Peel was hurried, by the ardor of debate, when denouncing the Catholic Association, to accuse that body of having presented an address to Archibald Hamilton Rowan, "an attainted traitor." Mr. Rowan had been Secretary to the United Irishmen. In 1794, he was tried for libel, defended by Curran (in one of the most eloquent speeches ever made, even by him), convicted, fined, and imprisoned. While suffering this sentence, he ascertained that his complicity in the intended "rebellion" had been disclosed to the Executive, and then, as is subsequently told, he escaped to France, and thence to America, where he maintained himself by the labor of his head and hands. Lord Chancellor Clare secured his pardon, but did not live to see Rowan's return. In 1805, he came back to Ireland, was formally arraigned at the bar of justice, before Lord Clonmel, and pleaded the King's pardon, briefly but eloquently expressing his gratitude for the boon. He retired into the bosom of domestic life, living on his large fortune. When Peel went out of his way to assail him, Mr. Rowan, though then seventy-five years old, immediately went from Ireland to London, to call him to account, but Peel frankly withdrew the expressions, and they parted, with a mutual sense of "satisfaction," other than that sought by the veteran.—M.

I do not mean to say that Mr. Peel has not a good deal of elaborate self-sufficiency. He is perpetually indulging in encomiums upon his own manliness and candor — and certainly there is much frankness in his voice and bearing — but any man who observes the expedients with which he endeavors to effect his escape from the grasp of some powerful opponent, will be convinced that there is a good deal of lubricity about him. He constantly advances arguments of the fallacy of which he can not fail to be conscious, and which would be a burlesque upon reasoning if they were not uttered from the Treasury Bench.

As a speaker, he should not be placed near Brougham, or Canning, or Plunket, although he rises far beyond that mediocrity to which in Ireland we are in the habit of condemning him. His language is not powerful, but it is perfectly clear, and uniformly correct. I observed, indeed, that his sentences were much more compact and unbroken, and their several parts better linked together, than those of Mr. Brougham; but the one evolves his thoughts in a lengthened and winding chain, while the other (having a due fear of the parenthetical before his eyes) presents an obvious idea in a brief and simple form, and never ventures to frame any massive or extended series of phrase. His gesture is, generally speaking, exceedingly appropriate, and if I found any fault with it, I should censure it for its minute adherence to grace. His hands are remarkably white and well formed, and are exhibited with an ostentatious care. He stands erect, and, to use a technical expression employed by French dancers, "*a-plomb.*" Thir firmness of attitude gives him that appearance of determination, which is wanting perhaps in Mr. Brougham.

I do not like his physiognomy as an orator. He has a handsome face, but it is suffused with a smile of sleek self-complacency, which it is impossible to witness without dis taste. He has also a trick of closing his eyes, which may arise from their weakness, but which has something mental in its expression; and, however innocent he may be of all offen sive purpose, is indicative of superciliousness and contempt I doubt not he found it of use in Ireland among the menials

of authority, and acquired this habit at the Castle. In one, the best passage in his speech, and I believe the best he ever uttered, he divested himself of those defects.

Upon the moral propriety of his attack upon Hamilton Rowan it is unnecessary to say anything. The misfortunes of that excellent gentleman ought not to have been pressed into the service. After every political convulsion, a Lethe should be permitted to flow upon the public mind, and a sin of thirty years' standing ought not only to be pardoned, but forgotten. Mr. Peel, however, could not resist the temptation of dragging upon the stage a man whose white hair should hide every imperfection upon his head. Laying aside all consideration of the generosity evinced by Mr. Peel in the selection of the topic, it must be acknowledged that he pronounced his invective with great and very successful force. He became heated with victory, and, cheered as he was repeatedly by his multitudinous partisans, turned suddenly toward the part of the house where the deputies were seated, and looking triumphantly at Mr. O'Connell, with whom he forgot for a moment that he had been once involved in a personal quarrel,* shook his hand with scornful exultation, and asked

* In 1815, the late Sir Robert Peel, then Secretary for Ireland, considered himself insulted by some expressions in a speech made by Mr. O'Connell, and challenged him. It was agreed that the duel should take place in France, whither Peel went, but, as O'Connell was in London, *en route* to the assigned battle-ground, the object of his journey transpired, the police interfered, he was bound over to keep the peace, and the duel was thus prevented. (The late Dr. England, Catholic Bishop of Charleston, S. C., who then resided at Cork, pointed out the conjunct sin and folly of duelling, when he next met O'Connell, and induced him to give a solemn promise that, under no circumstances would he again appeal to arms.) It was whispered, at the time, that O'Connell might have passed over to France, undetected, if he had not delayed in London, to receive news of the health of his wife, whom he had left very ill in Dublin. Another public character had declined a challenge at the same time, on the plea of his daughter's illness, and the two-fold occurrence elicited the following impromptu from Charles Kendal Bushe: —

"Two heroes of Erin, abhorrent of slaughter,
Improved on the Hebrew command—
One honored his wife and the other his daughter,
That 'their days might be long in the land.'"

In Willis's "Pencillings by the Way" (one of the most delightful books of trav

whether the House required any better evidence than the address of the Association to "an attainted traitor." The phrase was well uttered, and the effect as a piece of oratory was great and powerful. But for the want of moral dignity, I should say that it was very finely executed.*

We hung down our heads for a moment and quailed, under the consciousness of defeat. But it was only temporary. Mr. Brougham was supplied with various facts of great importance on the instant, and inflicted upon Mr. Peel a terrible retribution. His reply to the minister was, I understand, as effective as his celebrated retort upon the Queen's letters. He showed that the Government had extended to Mr. Rowan conspicuous marks of favor, and reproached Mr. Peel with his want of nobleness in opening a wound which had been so long closed, and in turning the disasters of an honorable man into a rhetorical resource. He got hold of the good feeling of the House. Their virtuous emotions, and those high instincts which even the spirit of party can not entirely suppress, were at once marshalled upon his side. Conscious of his advantage, he rushed upon his antagonist and hurled him to the ground. He displayed upon this occasion the noblest qualities of his eloquence—fierce sarcasm, indignant remonstrance, exalted sentiment, and glowing elocution. He brought his erudition to

elled observation and personal gossip) a different version of this epigram is given, as related by Moore, not so neatly turned as the above. The O'Connell family were very angry with Moore for having repeated the lines; and Mrs. Fitzsimon, one of O'Connell's daughters, recorded her indignation in some powerful stanzas, written in the album of Samuel Lover, the Irish lyrist.—Bushe, the real delinquent, had a knack in this way. Once upon a time, the members of the Leinster bar were prevented, by a violent storm, from crossing a ferry at Ballinlaw. Mr. Cæsar Colclough, heedless of danger, flung his saddle-bags into the boat, and desired the man to row him over. Bushe thus caught him in an impromptu—

"While meaner souls the tempest keeps in awe,
Intrepid Cæsar, crossing Ballinlaw,
Shouts to the boatman, shivering in his rags
'You carry Cæsar and his—*saddle-bags!*'"—M.

* I had intended to introduce a sketch of Mr. Rowan's character into this article, but found that I could not compress it within its appropriate limits. The reader will find it appended in a separate article.

his aid, and illustrated his defence by a quotation from Cicero, in which the Roman extenuates the faults of those who were engaged on Pompey's side. The passage was exceedingly apposite, but was delivered, perhaps, with too dolorous and lacrymatory a tone. A man should scarcely weep over a quotation. But altogether the reply was magnificent, and made the minister bite the dust.* With this comfortable reflection we left the house.

* The late Sir Robert Peel, born in 1788, was the son of a man who had become a millionaire, as an enterprising cotton-manufacturer. Educated for political life, young Peel entered Parliament in 1809 (having previously had the unusual distinction of winning a "double-first class" degree at Oxford), and soon was noticed as a well-informed and judicious speaker and worker. In 1810, he was made Colonial under-secretary, Percival being Premier. From 1812 to 1818, he was Chief-Secretary for Ireland. In 1822, he succeeded Addington (Lord Sidmouth) as Home Secretary, and, in that capacity, commenced the mitigation and consolidation of the criminal law. When Canning became Premier, in 1827, Peel and five other Cabinet ministers resigned. In 1828, when Wellington formed his ministry, Peel was his Home Secretary, and, as such, introduced and carried the Catholic Relief Bill in 1829, thereby incurring the enmity of the great Tory exclusionist party. From 1830 to 1834, Peel headed the opposition to Lord Grey's Reform Ministry, and was summoned from Italy, at the close of the latter year, to form a ministry which was broken up in April, 1835. The Whigs resumed office, and retained it until the summer of 1841, when Lord Melbourne had to relinquish his position as Premier, and Peel succeeded him, amid general hope, from public confidence in his administrative faculties, that he would extricate the country from the financial and other difficulties in which the Melbourne Cabinet had involved it. He imposed an Income and Property tax (the best, if fairly assessed), and in 1842, commenced his system of Free Trade, by sweeping away hundreds of imposts—most of them small, but all vexatious. In 1845, he announced Free Trade in Corn, to the joy of millions, who were led to expect more from it than they have yet received, and to the dismay and anger of the landlords and farmers, who had looked on Peel as their great bulwark. The Corn Laws were abolished in June, 1846, and, immediately after, the Whigs and the Protectionists uniting to oppose Peel, beat him on the Irish Coercion Bill, and forced him to retire. On June 29, 1846, he announced the dissolution of his ministry, in one of the ablest speeches he had ever delivered, and quitted office, the people's favorite. For the following four years, his influence in public affairs was immense. He was understood not to desire a return to office—but he wielded immense moral power. On June 29, 1850, he was thrown off his horse, while riding up Constitution Hill (London) and died from the effects of the fall on July 2, 1850, mourned by the nation. All felt his loss—from the sovereign to the peasant. From the time that he threw off the trammels of party, Peel was

It is not, of course, my intention to detail every circumstance of an interesting kind which occurred in the course of this political excursion. From a crowd of materials, I select what is most deserving of mention. I should not omit the mention of a dinner given to the deputies by Mr. Brougham. He invited us to his house upon the Saturday after our arrival, and gave the Irish embassy a very splendid entertainment. Some of the first men in England were of the party. There were four Dukes at table. I had never witnessed an assemblage of so much rank, and surveyed with intense curiosity the distinguished host and his illustrious guests. It is unnecessary to observe that Mr. Brougham went through the routine of convivial form with dignified facility and grace. It was to his mind that I directed my chief attention, with a view to compare him, in his hours of relaxation, with the men of eminence with whom I had conversed in my own country.

The first circumstance that struck me was the entire absence of effort, and the indifference about display. I perceived that he stretched his faculties out, after the exhaustion of professional and parliamentary labor, in a careless listlessness; and, if I may so say, threw his mind upon a couch. Curran, Grattan, and Bushe, were the best talkers I had ever witnessed. The first (and I heard a person make the same remark in London) was certainly the most eloquent man whose conversation I ever had an opportunity of enjoying. But his serious reflections bore the character of harangue, and his wit, with all its brilliancy, verged a little upon farce. He was so fond, indeed, of introducing dialogue into his stories, that at times his conversation assumed the aspect of a dramatic exhibition. There was, perhaps, too much tension of the intellect in those masterpieces of mirth and pathos, in which he appeared to be under the alternate influence of Momus and of Apollo. The conversation of Mr. Grattan was not of an after-dinner cast. You should have walked with him among the woods of Tinnahinch, and listened to his recol-

emphatically, the great English statesman of his time. Amid the absorbing cares of public life, he was the patron and friend of art, literature, and science and those who devote their minds to these ennobling pursuits.—M.

lections of a better day by the sound of the lulling and romantic waters of those enchanting groves, in which, it is said, he studied the arts of elocution in his youth, and through which he delighted to wander in the illuminated sunset of his glorious age. It was necessary that his faculties should be thrown into a swing before they should come into full play. He poured out fine sentiments in glittering epigrams. His mind became antithetical from continued habit, but it was necessary that it should be thrown into excitement to bring it into action. It was in sketches of character that he excelled; but you should give him time and leisure for the completion of his miniatures. Bushe . . . . . But I am deviating from my theme.

To return to Mr. Brougham, he is, perhaps, more negligent and heedless of what he says than any of these eminent persons to whom I have alluded, and flings his opinions into phrase without caring into what shape they may be moulded. I remember to have read an article in the Edinburgh Review, upon Curran's life, that eminent men in England never make any effort to shine in conversation; and I saw an illustration of the remark at Mr. Brougham's table. He did not tell a single story — except, indeed, that he mentioned a practical joke which had been played upon Joseph Hume,* who takes things "*au pic de la lettre*," by passing some strange, uncouth person upon him as Mr. O'Connell. The latter sat between the Dukes of Devonshire† and Leinster. It was the

* Joseph Hume, born in Scotland in 1777, obtained a large fortune by contracts in India, during the Mahratta war. He returned in 1808, and entered Parliament in 1812. With slight intermission, he has been in the Commons ever since, and, from his superior length of service as a member, is now entitled to the Nestorian title of "Father of the House." Mr. Hume's great merit is that he applied himself, session after session, to correct the extravagant expenditure of successive Governments. At first, he was a Tory, but, for the last five-and-thirty years, has been a Liberal — so much so, indeed, that, on one occasion, he stated in Parliament that "he would vote that black was white, if it would serve his party!" As a speaker, Mr. Hume is much below par; as a man of business, industrious and good tempered, he has no superior. — M.

† The Duke of Devonshire, one of the wealthiest peers in England, has very large estates in the South of Ireland, which are let at low rents, and well administered. He is now in his sixty-fourth year, and has retired from public

place of honor, and the learned gentleman filled it without airs or affectation. In all his intercourse with the great in London, I remarked that he comported himself in a manner perfectly becoming his character and station in his own country. I was glad to find that, unlike Sir Pertinax, "he could stand straight in the presence of a great man." The attention of the company was very much fixed upon him. But he spoke little. I remember Mr. Moore telling me an anecdote of Mrs. Siddons, which is not unillustrative of the scene. A large party were invited to meet her. She remained silent, as is her wont, and disappointed the expectations of the whole company, who watched for every syllable that should escape her lips. At length, however, being asked if she would have some Burton ale, she replied, with a sepulchral intonation, that "she liked ale vastly."* To this interesting remark the display of her intellectual powers was confined. I do not think that Mr. O'Connell, upon this occasion, gave utterance to any more profound or sagacious observation.

Nearly opposite to him sat Sir Francis Burdett and Mr. Lambton.† The latter seemed to me to watch Mr. O'Connell

life — which he never cared for. He was spoken of, repeatedly, as being about to accept the office of Lord Lieutenant of Ireland, but the only public situation in which he appeared, was that of Ambassador to Russia, in 1826, at the coronation of the Emperor Nicholas. He is a well-known patron of the fine arts and his collection of sculpture, paintings, and books, at one of his seats (Chatsworth, in Derbyshire), is world-famed. He strongly advocated Catholic Emancipation.— M.

* I remember mentioning this anecdote to the late Mr. Maturin, who said "The voice of Mrs. Siddons, like St. Paul's bell, should never toll except for the death of kings." [Lockhart's Life of Scott records an instance of this, at the table of the Ariosto of the North, where Mrs. Siddons, in an eminently tragic voice, thus addressed a servant: "I asked for water, boy — you've brought me beer."— M.]

† John George Lambton, born April, 1792, entered Parliament early, and always opposed the Tory party. Lord Grey was his father-in-law, but Lambton did not follow that haughty aristocrat's example as regards Canning, whose Ministry he supported. In 1828, he was created Baron Durham. In 1830, he became a member of Lord Grey's Ministry, and was understood to have proposed a much larger measure of Parliamentary Reform than Lord Grey would sanction. Lord Durham became leader of the movement party, and his assumption of the office of Premier was considered at hand. But Lord Grey

with a very unremitting vigilance. He hardly spoke himself. His air is foreign; he is full of intelligence, and looks like a picture, by Murillo, of a young Spanish Jesuit who has just completed his novitiate. At the other end of the table sat the celebrated Mr. Scarlett,* who is at English *nisi-prius facile princeps.* I thought I could perceive the wile of a lawyer in his watchful and searching eye—

> "He is a great observer, and he looks
> Quite through the thoughts of men."

His smile, too, was perhaps a little like that of Cassius. He said little—altogether, there was not as much alertness in the dialogue as in the champagne.

The Duke of Sussex seemed to me the only person who exhibited much hilarity of spirit. There is a good deal of buoyancy in the temperament of his Royal Highness. He speaks with great correctness and fluency; is perfectly kind and affable; and laughs with all his heart at his friend's jokes as well as at his own. If the Duke of Sussex were our Lord Lieutenant (as I hope he yet may be), he would put us into good humor with each other in a month.† I would substitute Ober-

quitted office in 1834, and, in the year after (to get him out of the way?) Lord Durham was sent to Russia as Ambassador, where he remained for two years. In 1838, he was sent to Canada, as Governor-General, with almost dictatorial powers, in the use of which he was not supported by the Melbourne Ministry in England, whereupon he returned home, the same year. He died, July, 1840. In debate he was a good speaker, but an air of *hauteur* dulled the effects of his most impassioned language.—M.

* Sir James Scarlett, then a whig, but afterward Attorney-General under the Wellington Administration. He eventually became Lord Abinger, and Chief Baron of the Exchequer.—M.

† Augustus Frederick, Duke of Sussex, was sixth son of George III., and much offended his father by contracting marriage, when a minor, with Lady Augusta Murray, daughter of a Scottish Earl. (One of the newspapers of the day stated, that "Lady Augusta soon became pregnant, and returned to England; the Duke of Sussex *did the same.*") This union, which took place in Italy, was confirmed, on their return to England, and two children were "the consekence of that manoover," to use the classic words of the elder Mr. Weller. One of these was the late Sir Augustus d'Este, who unsuccessfully sought the Dukedom on his father's death, the other (who, when I first saw her, in 1828, was one of the finest women in England) was Mademoiselle d'Este, who, in middle age, married Sir Thomas Wilde, created Lord Truro and Chancellor of

on's whistle for Alecto's horn.* I should like to hear the honest and cordial laugh of the Duke of Sussex at an aggregate levée of Catholics and Protestants at the Castle. I should like to hear the echoes of St. Patrick's Hall,† taking up the royal mirth in a long and loud reverberation. What might, peradventure, be an excess of vivacity in a gentleman, would be condescending pleasantry in a prince.

I understood, at Mr. Brougham's, that it was intended to give a public dinner to the Catholic deputies, at which the leading advocates of Emancipation were to be present. Much preparation was made for this festival of liberality, but it was afterward conceived that it would be more judicious upon the part of the friends of religious liberty not to provoke their antagonists into a reaction, which it was thought likely might be produced. The idea was abandoned; but, in order to give the deputies an opportunity of expressing their sentiments in public, the British Catholics held a general meeting at the Freemasons' Hall.

The Duke of Norfolk was in the chair.‡ The assembly was

England in 1850.—The Prince's marriage was dissolved by the Prerogative Court, and the union accordingly ended in separation. At the age of twenty-eight, Prince Augustus was created Duke of Sussex, with an allowance of twelve thousand pounds sterling a year, afterward raised to twenty thousand pounds sterling a year — which he always complained was too small! He sided with the Whig party — as much as a Prince could. He laid himself out for popularity, and, at public dinners and charitable meetings, was liberal in giving — his speeches. He had a fine library, and had accumulated a magnificent collection of Bibles, in various languages and of various editions. Some time before his death, he wedded the rich widow of a city knight, bearing the illustrious name of — Buggins! She has since been created Duchess of Inverness. Born January, 1773, the Duke of Sussex died April, 1843, aged seventy. His pompous manner would have disgusted the Irish in a week, if he had been sent to Dublin as their Viceroy.— M.

* In Wieland's Oberon, at the sound of a magic whistle, laughter is instantaneously produced; a merriment takes the place of strife.

† A spacious apartment in Dublin Castle, in which Royalty (personally or by proxy) holds levées and drawing-rooms, and where the Installation of Knights of St. Patrick generally takes place.— M.

‡ The Duke of Norfolk, in 1825, was a stout, red-faced gentleman, looking very like a London Alderman, accustomed to civic banquets. He was as plain in his manners as in his appearance. Indeed, it was reported that he had been

not as numerous as I had expected — it was in a great measure composed of Irish. Many persons were deterred from attending by the title of the meeting, which seemed to confine it to Roman Catholics. In consequence of the impression that Protestants were not invited to assist in these proceedings, few of the Parliamentary supporters of Emancipation attended. Mr. Coke, of Norfolk, who sat next to the chairman, was almost the only English Protestant of distinction whom I observed at the meeting.* I believe, however, that an anxiety to hear Mr. O'Connell, induced a great number of the literary men attached to the periodical and daily press to attend.

Mr. O'Connell appeared to me extremely solicitous about the impression which he should produce, and prepared and arranged his topics with unusual care. In public meetings in Ireland, he is so confident in his powers, that he gives himself little trouble in the selection of his materials, and generally trusts to his emotions for his harangues.† He is, on that account, oc-

known as "Mr. Howard," a wine-merchant, in one of the streets off the Strand, in London, before the death of "the dirty Duke," without legitimate male issue, drove "all the blood of all the Howards" up to fever-heat, in expectation of turning out next of kin. The Duke, with the uncleanly *soubriquet*, had turned Protestant, in order to sit in Parliament. The present Duke has also abjured the faith of his ancestors. The "dirty Duke" never underwent voluntary ablution, but, once or twice a week, when dead-drunk, was stripped, laid upon a table, soaped, scrubbed, and towelled, into a state of comparative cleanliness. — The Dukedom, conferred in 1483, is the oldest in England, and its owner is therefore Premier Duke. He is also Hereditary Earl-Marshal, and, as such, has the regulation of the coronation ceremonies, and attests the signature of the Sovereign to the documents wherein Peers, Peeresses, Privy Councillors, and others, are invited to participate in the pageant. — M.

* Thomas William Coke, of Holkham, in the county of Norfolk, was a descendant of Sir Edward Coke, the great lawyer, and will be chiefly remembered for the extent and success of his improvements in English agriculture, by which he raised the value of his estates from two thousand to twenty thousand pounds sterling a year. He was of the extreme liberal party, from whom he presented so many remonstrant addresses to George III., that his Majesty jocosely said, "Coke, if you bring me another of these, I'll certainly *knight* you" — a severe threat to a man who prided himself on his old family, had declined a baronetcy as too low, and claimed a dormant earldom. His friends the Whigs, with whom he had always voted, created him Earl of Leicester in 1837, when he was eighty-five years old. He died in June, 1842, aged ninety. — M.

† The character of O'Connell's eloquence has never been clearly indicated,

casionally desultory and irregular. But there is no man more capable of lucid exposition, when he previously deliberates upon the order in which he should array the topics upon which he intends to dwell. He undertook, on this occasion, the very laborious task of tracing the progress of the penal code, and epitomized in some measure the history of his country. For the first hour he was, perhaps, a little encumbered with small details; but when he advanced into the general consideration of the grievances under which the great body of the people are doomed to labor—when he painted the insolence of the dominant faction—when he showed the effects of the penal code brought to his own door—he seized with an absolute dominion upon the sympathies of his acclaiming auditors, and poured the full tide of his own emotions into their hearts. I did not greatly heed the results of Mr. O'Connell's oratory upon the great bulk of his audience. Many a big drop, compounded of heat and patriotism, of tears and of perspiration, stood upon the rude and honest faces that were cast in true Hibernian mould, and were raised toward the glory of Ireland with a mixed expression of wonder and of love. I was far more anxious to detect the feeling produced upon the literary and English portion of the audience. It was most favorable.

Mr. Charles Butler, near whom I happened to sit, and whom

Its leading feature was *intense earnestness.* Whatever his style, and it would vary a dozen times in the same speech, he always had a purpose. He was not a man to string words together into pretty sentences, as women string beads of coral, but he spoke with a will and with an aim. His Irish auditors expected to be amused as well as roused, and O'Connell entertained as well as excited them. He had dropped his plummet into the Irish heart, and sounded its remotest depths. He has been compared, at various times, to the great orators whom Ireland has produced; but he resembled none of them singly. He had less imagination than Curran, less philosophy than Burke, less wit than Canning, less rhetoric than Sheil, less classicality than Bushe, less eloquence than Plunket, less pathos than Grattan; but he had more power than any of them. His language was forcible, even when he was most playful. And, when addressing an Irish audience, he applied himself to charm them, there was such an alternation of style—now soaring to the loftiest, and now subsiding to the most familiar—that he carried all hearts with him, until the listeners seemed under the spell of an enchanter, moved to anger or to mirth even as he might desire. This was to be indeed a great orator, and this was O'Connell.—M.

I should be disposed to account a severe but excellent critic, was greatly struck. He several times expressed his admiration of the powers of the speaker. The applause of such a man is worth that of a "whole theatre of others." Mr. Coke, also, whose judgment is, I understand, held in very great estimation, and who has witnessed the noblest displays of Parliamentary eloquence, intimated an equally high opinion. Immediately under Mr. O'Connell there was an array, and a very formidable one, of the delegates from the press. They appeared to me to survey Mr. O'Connell with a good deal of supercilious distaste at the opening of his speech; and, although some among them persevered to the last in their intimations of national disrelish, and shrugged their shoulders at "Irish eloquence," the majority surrendered their prejudices to their good feelings, and ultimately concurred in the loud plaudits with which Mr. O'Connell concluded his oration. It occupied nearly three hours and a half.

Mr. O'Hanlon succeeded Mr. O'Connell. He spoke well, but the auditory were exhausted, and began to break up. Less attention was paid to Mr. O'Hanlon than he would have received at a more opportune moment. The excitation produced by Mr. O'Connell, the lateness of the hour, and the recollections of dinner, were potent impediments to rhetorical effect.

Mr. Sheil rose under similar disadvantages. He cast that sort of look about him which I have witnessed in an actor when he surveys an empty house. The echo produced by the diminution of the crowd drowned his voice, which, being naturally of a harsh quality, requires great management, and, in order to produce any oratorical impression, must be kept under the control of art. Mr. Sheil became disheartened, and lost his command over his throat. He grew loud and indistinct. He also fell into the mistake of laying aside his habitual cast of expression and of thought, and, in place of endeavoring to excite the feelings of his auditory, wearied them with a laborious detail of uninteresting facts. He failed to produce any considerable impression excepting at the close of his speech, in which, after dwelling upon the great actions which were achieved by the Catholic ancestors of some of the eminent men around him, he intro-

duced Jean of Arc prophesying to Talbot the observation of his illustrious name, and the exclusion of his posterity from the councils of his country.*

I should not omit to mention the speech delivered by Lord Stourton at this meeting. It was easy to collect from his manner that he was not in the habit of addressing a large assembly, but the sentiments to which he gave utterance were high and manly, and becoming a British nobleman who had been spoliated of his rights. His language was not only elegant and refined, but adorned with imagery of an original cast, derived from those sciences with which his Lordship is said to be familiar.† Some of the deputies dined with him after the meeting. They were sumptuously entertained.

I had now become more habituated to the display of patrician magnificence in England, and saw the exhibition of its splendor without surprise. Yet I confess that at Norfolk-house, where the Duke did Mr. O'Connell, Lord Killeen, and others of our deputation, the honor to invite them, and, in compliment to our cause, brought together an assemblage of men of the highest rank and genius in England, I was dazzled with the splendor and gorgeousness of an entertainment to which I had seen no parallel. Norfolk-house is one of the finest in London. The interior, which is in the style prevalent about eighty years ago in England, realizes the notions which one forms of a palace. It was indeed occupied at one time by some members of the royal family; and the Duke told us that the late King [George III.] was born in the room in which we dined. We passed through a series of magnificent apartments, rich with crimson and fretted with gold. There was no glare of excessive light in this vast and seemingly endless mansion; and the massive lamps which were suspended from the embossed and gilded ceilings, diffused a shadowed illumination, and left the

* Mr. Sheil, whose speech at this meeting was a failure — the patience of his audience having been exhausted before he rose — adroitly attempts here to explain away the fact. From some cause or other, his voice, naturally shrill, almost wholly failed him, and his auditors were greatly disappointed. — M.

† The Lord Stourton here mentioned was the seventeenth Baron of that name, the peerage bearing date 1448. The family is Catholic. — M.

distance in the dusk. The transition to the great chamber where the company were assembled, and which was glowing with light, presented a brilliant and imposing contrast. Here we found the Duke of Norfolk, surrounded by persons of high distinction. Among the company were the Dukes of Sussex, Devonshire, and Leinster, Lord Grey, Lord Fitzwilliam, Lord Shrewsbury, Lord Donoughmore, Lord Stourton, Lord Clifford, Lord Nugent, Lord Arundel, Sir Francis Burdett, Mr. Butler, Mr. Abercrombie, Mr. Blunt, Mr. Denman, and other persons of eminence and fame.*

The Duke of Norfolk came forward to meet us, and gave us a cordial and cheerful welcome. This amiable nobleman is distinguished by the kindness and goodness of his manners, which bespeak an excellent and unassuming spirit, and through all the political intercourse which we had with him the great question, in which he feels so deep an interest, manifested a shrewd sound sense, and a high and intense anxiety for the success of the great cause of religious liberty, from which very beneficial results have already ensued. He has been very instrumental in effecting a junction between the English and Irish Roman Catholics, and has thus conferred a great service upon both. We were received by him with the most gracious and unaffected urbanity.

I was struck with the perfect freedom from authoritativeness which characterized most of the eminent men who were placed about me. There is among the petty aristocracy of Ireland

* Of these, Lords Grey, Shrewsbury, Donoughmore, Clifford, Arundel, Mr. Butler, and Mr. Blunt, have departed this life. Mr. Abercrombie, then a very obscure man (who worked himself up, from being the Duke of Devonshire's steward), used his employer's interest to get him made Chief Baron of the Exchequer in Scotland, at four thousand pounds sterling a year. It was so much a sinecure, that, in the thirty months he held it, he only tried four cases, thus receiving ten thousand pounds for doing nothing. The sinecure was abolished, and Abercrombie was compensated by a pension of two thousand pounds, which was suspended when he was made Speaker of the House of Commons in 1837 (salary six thousand pounds a year, and one thousand pounds more for a house), and, after two years' service, retired on a pension of four thousand pounds for his own life and that of his son, and a peerage as Baron Dumferline. What renders this more strange is, that this man had boorish manners, no learning, no eloquence, nothing but the Duke of Devonshire's patronage to push him on. - M.

infinitely more arrogance of port and look than I observed among the first men of the British empire. Certain of our colonial aristocracy are far more bloated and full-blown with a notion of their own importance. The reason is obvious. The former rest in security upon their unquestionable title to respect. Their dignity fits them like an accustomed garment. But men who are raised but to a small elevation, on which they hold a dubious ground, feel it necessary to impress their consequence upon others by an assumption of superiority which is always offensive, and generally absurd. Lord Fitzwilliam was the person with whom I was disposed to be most pleased. This venerable nobleman carries, with a gray head, a young and fresh heart. He may be called the old Adam of the political world; and England might well exclaim to her faithful servant, in the language of Orlando—

> "Oh, good old man, how well in thee appears
> The constant service of the antique world!
> Thou art not for the fashion of these times,
> When none will sweat but for promotion."

It is impossible to look upon this amiable and dignified patrician of the olden stamp, without a feeling of affectionate admiration for his pure and distinguished patriotism and the warm love of his country, which lives (if I may so say) under the ashes of age, and requires but to be stirred to emit the flashes of its former fire. The natural apathy incidental to his time of life, appears habitually to prevail over him; but speak to him of the great interests of the empire—speak to him of that measure which at an earlier period he was delegated by his sovereign to complete—speak to him of Ireland, and through the dimness that loads his eye, a sudden illumination will break forth. For Ireland he entertains a kind of paternal tenderness. He reverted with a Nestorian pride to the period of his own government; and mentioned that he had preserved the addresses which he had received from the Roman Catholic body as among the best memorials of his political life. That he should live long enough to see the emancipation of the Irish people, seemed to be the wish nearest to his heart. It does one good—it is useful in a mora.

point of view, to approach such a person as Lord Fitzwilliam, and to feel that there is in public men such a thing as a pure and disinterested anxiety for the benefit of mankind, and that the vows of all politicians are not, whatever we may be disposed to think, "as false as dicers' oaths."

In describing the impression produced upon me by Lord Fitzwilliam, I have mentioned the result of my observation at Mr. Ponsonby's, where the deputies afterward met him, as well as at Norfolk house. Lord Grey also dined at Mr. Ponsonby's, where I had a better opportunity of noting him.* He is some-

* Charles, Earl Grey, born in 1764, was M. P. for his native county of Northumberland, almost as soon as he attained his majority. He soon displayed ability, as a debater on the liberal side, and was associated with Burke, Sheridan, and others, as one of the managers of the impeachment of Warren Hastings. He went beyond Fox in his democratical opinions. On Pitt's death, in 1806, when "All the Talents" formed a Cabinet, of which Fox was the actual, while the Duke of Portland was the nominal head, Mr. Grey (who now bore the honorary title of Viscount Howick, his father having been made Earl Grey in 1802) took office as First Lord of the Admiralty. In October, 1806, Lord Howick succeeded Fox as Foreign Secretary, but the Ministry soon broke up, and, on the death of his father in 1807, he went to the Upper House, as Earl Grey, and warmly defended Queen Caroline in 1820. He remained out of office until November 1830, but on two or three occasions, when a Coalition ministry was talked of, there were negotiations (always ending in failure) to bring in Lord Grey. His personal pride intervened — as he wanted first place, or none. This, no doubt, made him strongly oppose Canning's Ministry, in 1827 — it was "most tolerable and not to be endured" that a mere commoner should be Prime Minister, while Earl Grey was ready and anxious for the office! At last, in 1830, he obtained the prize — because Parliamentary Reform was needed, and, as Mr. Grey, he had suggested a plan some five-and-thirty years before. After a great struggle, Reform was granted — more than Grey actually thought prudent to bestow (having such a horror of democratic inroads that he once publicly declared that "he would stand by his order") but less than his son-in-law, Lord Durham, thought was wise and just. In July, 1834, he resigned office, and took no further part in politics. He died, July, 1845, aged eighty-one. As Minister of the Crown, he had one overpowering fault, which Peel was eminently free from — that of nepotism. It really appeared as if the object of his taking office was to provide for his family, his connections, for every one named Grey. For this he was constantly baited by Cobbett, who published what he called "The Grey List," stating the various offices to which Grey had been appointed, giving the name of each official, and showing that they were the recipients of about one hundred and seventy thousand pounds sterling a year — all, but twenty thousand pounds sterling, being derived from

what silent and reserved. It is the fashion among Tories to account him contemptuous and haughty; but I can not coincide with them. He has, indeed, a lofty bearing, but it is not at all artificial. It is the aristocracy of virtue as well as rank. There is something uncompromising, and perhaps stern as well as inflexible in his aspect. Tall, erect, and collected in himself, he carries the evidences of moral and intellectual ascendency impressed upon him, and looks as if he knew himself to be, in the proudest sense which the poet has attached to the character, not only a great but an honest man. And why should he not look exactly what he is? Why should he not wrap himself in the consciousness of his political integrity, and seem to say, "*meâ virtute involvo*," while so many others, who were once the companions of his journey, and who turned aside into a more luxuriant road, in taking a retrospect, as the close of life is drawing near, of the mazy course which they have trod, behold it winding through a rich and champagne country, and occasionally deviating into low but not unproductive declivities? This eminent man, in looking back from the point of moral elevation on which he stands, will trace his path in one direct and unbroken line—through a lofty region which has been barren of all but fame, and from which no allurement of ease, or of profusion, could ever induce him to depart.

Lord Grey has a touch of sadness upon him, which would look dissatisfaction to a placeman's eye; but there is nothing really morose or atrabilious in his expression. He has found that sorrow can unbar the palaces of the great, as well as unlatch the cottages of the lowly. His dear friend and near ally is gone—his party is almost broken.* He has survived

life appointments! The truth of these accusations was undeniable, and helped. no doubt, to account for Lord Grey's unpopularity after the Reform struggle was ended. He was an eloquent speaker—seldom warmed into passion or even into excitement, but fluent, correct, and sometimes rather forcible.—M.

* The allusion here appears to be to Fox, who, however, had died nearly nineteen years before. Charles James Fox, born in 1749, was the second son of the first Lord Holland, by whom he was educated for political life. At the age of nineteen, two years before the legal age, he was elected member of parliament. From 1770 to 1774, he was an advocate of the Ministry, and was

the death, and, let me add, the virtue of many illustrious men, and looks like the lonely column of the fabric which he sustained so nobly, and which has fallen at last around him. It is not wonderful that he should seem to stand in solitary loftiness, and that melancholy should have given a solemn tinge to his mind. He spoke of the measures intended to be made collateral to emancipation, and said,† * * * *

successively Lord of the Admiralty and of the Treasury. At the age of 24, the Ministry dismissed him — thereby converting a warm friend into a bitter opponent. He resisted the American war, and on Lord North's removal, obtained a seat in the Cabinet, as Secretary of State. The Rockingham Administration breaking up, on the death of its head, Lord Shelburne became Premier, and after some time, Fox coalesced with Lord North (his old antagonist); a measure which nearly ruined the popularity of both. Their India Bill led to their downfall, and the nomination of William Pitt, in his 25th year, as Premier. Fox espoused the leading principles of the French Revolution, which Pitt contended against, and this also led to a total rupture with Burke, long his friend, and to the erasure of his name, by the hand of the King himself, from the Roll of the Privy Council. When Pitt died, in 1806, Lord Grenville drew Fox from opposition, and made him Foreign Secretary. He did not long hold office, for which he had so long contended, but died in September, 1806. The eloquence of Fox was vehement rather than polished, but it was forcible and effective. In private life he was convivial, witty, and genial. He was somewhat of an historian, too, but spoke better than he wrote. He was addicted to gaming, and was a man of uncalculating and almost boundless extravagance. He was buried in Westminister Abbey, close to his great rival Pitt. Scott says

"Drop upon Fox's tomb a tear
'Twill trickle to his rival's bier."

Fox was the intimate friend of the Prince of Wales, afterward George IV., for many years, but the intimacy broke off after the marriage of the Prince.—M.

† This article, published May, 1825, broke off thus abruptly, with "(*The Conclusion in our next Number*)," holding out promise of some more of the personal and political gossip which attracted much attention at the time. The "conclusion" never appeared. Mr. Sheil told me that, though written, it was suppressed, at the strong desire of the late Lord Grey, one of the haughtiest aristocrats in England, at the time, who was alarmed at the idea of any of his table-talk being reported! I believe that, until now, the exact reason of this suppression, though suspected at the time, has not been stated on authority.—M.

ARCHIBALD HAMILTON ROWAN.

Of all the remarkable men I have met, Hamilton Rowan, I think, is the one whose external appearance most completely answers to the character of his mind, and the events of his life. The moment your eye has taken in the whole of his fine athletic configuration, you see at once that nature designed him to be a great massive engine of a popular cause. When he entered life, he might easily have taken his place as a leading member of the aristocracy of his country. He had high connections, a noble fortune, manners and accomplishments that would have graced a court—but his high and adventurous spirit could not have brooked the sedentary forms, and still less the despotic maxims, of an Irish state-career. He never could have endured to sit at a council-board, with his herculean limbs gathered under him, to deliberate upon the most expedient modes of trampling upon public rights. As a mere matter of animal propensity, his more natural vocation was to take the side of enterprise and danger—to mingle in the tumult of popular commotion, and leading on his band of citizen-soldiers "to the portals of the Castle, to call aloud in their name for the minister to come forth and resist at his peril the national cry for 'Universal Emancipation.'"* This was his election, and his conscience coincided with his impulses. He became, as might be expected, the idol of the populace, and, from the qualities which made him so, too formidable to the state to be tolerated. He was prosecuted and convicted, by a tribunal of very doubtful purity,† of feeling too ardently for the political degradation of Ireland.

* See his trial in Howell's State Trials, for 1794.

† See the motion for a new trial, and the documents there used.—Howell's State Trials.

Thus far Hamilton Rowan had acted upon the principles of an Irish reformer, and if he avowed them indiscreetly, or pushed them too far, he suffered for it. In his imprisonment, which he at least considered as oppression, he was provoked to listen to more dangerous doctrines. He committed himself in conferences with a spy who procured a ready access to his presence; and to avoid the consequences, effected his escape to a foreign land.

After several years passed in wandering and exile, the merits of his personal character prevailed against the remembrance of his political aberrations, and an act of royal clemency, generously conceded without any humiliating conditions, restored him once more to his country. There he has since resided, in the bosom of domestic quiet, and in the habitual exercise of every virtue that can ennoble private life. He has the satisfaction, too, in his old age, of finding that, in a public point of view, his debt of gratitude to the Crown has not been wholly unpaid. In his eldest son (Captain Hamilton, of the Cambrian frigate) he has given to the British navy one of its most gallant and distinguished commanders, and for whose sake alone every man of a generous spirit should abstain from gratuitous and cruel railings at the obsolete politics of the father.*

Hamilton Rowan's exterior is full of interest. Whether you meet him abroad or in a drawing-room, you are struck at once with his physical pre-eminence. Years have now rendered his frame less erect, but all the proportions of a noble model remain. In his youth he was remarkable for feats of strength and activity. The latter quality was put to no ordinary test, in a principal incident of his life, to which I shall presently refer. His face, both in feature and expression, is in strict accordance with the rest of his person. It has nothing denoting extraordinary comprehension, or subtlety of intellect; but in its masculine outline, which the workings of time have brought out into more prominent relief—in the high and bushy

* This son, who died before his venerable father, eminently distinguished himself in the contest for the independence of Greece, and his father never recovered his loss.—*N.*

brow—the unblenching eye—the compressed lips, and in the composed yet somewhat stern stability of expression that marks the whole, you find the symbols of high moral determination—of fidelity to principle—of self-reliance and self-oblivion, and above all of an uncompromising personal courage, that could front every form of danger face to face.*

The austerity of his countenance vanishes the moment he addresses you. His manners have all the fascination of the old school. Every tone of his voice is softened by an innate and undeviating courtesy that makes no distinctions of rank or sex. In the trivial details of common life, Hamilton Rowan is as gentle and complimentary to men as other men are in their intercourse with females. This suavity of demeanor is not the velvet of art; it is only one of the signs of a comprehensive philanthropy, which as habitually breaks out in acts of genuine sympathy and munificent relief, wherever a case of human suffering occurs within its range.

The circumstances of Hamilton Rowan's escape from imprisonment, as I once heard them minutely detailed, possessed all the interest of a romantic narrative. The following are such of the leading particulars as I can recall, to my recollection. Having discovered (on the 28th of April, 1794) the extent of the danger in which he was involved, he arranged a

* Archibald Hamilton Rowan, who must have been a giant in his prime, was one of the most remarkable men I ever saw. One might almost think he had been made for one purpose—*digito monstrari!* He was long past seventy when I saw him. In stature he was even as one of the sons of Anak. His strongly-marked features indicated firmness and benevolence. His eyes, dark and flashing, beneath shaggy brows. His port, lofty. His stride, large. His manners, of the old school of gentlest courtesy—but his frown, when offended or excited, positively frightening! Crowds used to watch for a sight of this fine "old Irish gentleman," as he came out of the club-house in Kildare street, bearing in his hand a mighty blackthorn (which might have served Hercules for a club), and escorted, on either side, by two immense Irish wolf-dogs, reported to be the very last of their race. Looking at him, and surveying the generation among whom he towered, like a forest-oak over a crowd of plantation shrubs, a contemplative man might sigh, and utter, "There were *Men*—in the days when he began to live." Mr. Rowan died in November, 1834, aged eighty-four. In his latter years he was much afflicted with deafness, and grief for his gallant son, Captain Hamilton, who died before him, had affected his strong and truly masculine mind.—M

plan of flight to be put into execution on the night of the 1st of May. He had the address to prevail on the jailer of Newgate, who knew nothing farther of his prisoner than that he was under sentence of confinement for a political libel, to accompany him at night to Mr. Rowan's own house.* They were received by Mrs. R., who had a supper prepared in the front room of the second floor. The supper over, the prisoner requested the jailer's permission to say a word or two in private to his wife in the adjoining room. The latter consented, on the condition of the door between the two rooms remaining open. He had so little suspicion of what was meditated, that instead of examining the state of this other room, he contented himself with shifting his chair at the supper-table so as to give him a view of the open doorway. In a few seconds his prisoner was beyond his reach, having descended by a single rope, which had been slung from the window of the back chamber.

In his stable he found a horse ready saddled, and a peasant's outside coat to disguise him.† With these he posted to the house of his attorney, Matthew Dowling, who was in the secret of his design, and had promised to contribute to its success by his counsel and assistance. Dowling was at home, but unfortunately his house was full of company. He came out to the street to Mr. Rowan, who personated the character of a country client, and hastily pointing out the great risk to be incurred from any attempt to give him refuge in his own house, directed him to proceed to the Rotunda (a public building in Sackville street, with an open space in front) and remain there until Dowling could despatch his guests, and come to him. Irish guests were in those days rather slow to separate from the bottle. For one hour and a half the fugitive had to wait, leading his horse up and down before the Rotunda, and tortured between fear and hope at the appearance of every person that approached. He has often represented this as the most trying moment of his life.

* In order, he pretended, to make out a deed, as fear had been expressed that such an instrument signed in prison would be invalid.—M.

† Rowan states, in his autobiography, by which I correct Mr. Sheil's narrative, that, when he was in his wife's room, he changed his dress of a herdsman.—M.

Dowling at length arrived, and after a short and anxious conference, advised him to mount his horse, and make for the country-house of their friend Mr. Sweetman, which was situate about four miles off, on the northern side of the bay of Dublin. This place he reached in safety, and found there the refuge and aid which he sought.* After a delay of two or three days Mr. Sweetman engaged three boatmen of the neighborhood to man his own pleasure-boat, and convey Hamilton Rowan to the coast of France. They put to sea at night; but a gale of wind coming on, they were compelled to put back, and take shelter under the lee of the Hill of Howth. While at anchor there on the following morning a small revenue-cruiser sailing by threw into the boat copies of the proclamations that had been issued, offering two thousand pounds sterling for the apprehension of Hamilton Rowan. The weather having moderated, the boat pushed out to sea again. They had reached the mid-channel, when a situation occurred almost equalling in dramatic interest the celebrated *Cæsarem vehis* of antiquity. It would certainly make a fine subject for a picture. As the boat careered along before a favorable wind, the exiled Irishman perceived the boatmen grouped apart, perusing one of the proclamations, and by their significant looks and gestures, discovering that they had recognised the identity of their passenger, with the printed description. "Your conjectures are right, my lads," said Rowan, "my life is in your hands—but you are Irishmen." They flung the proclamation overboard, and the boat continued her course.† On the third morn-

* The moment his escape from prison was known, parties of soldiers were sent in pursuit of him, in all directions, and in his place of concealment he could hear their measured tread.—M.

† It is now several years since the particulars of Mr. Rowan's escape were related to me by a friend, as they had been communicated to him by the principal actor himself; and my present recollection is that the above incident was not included. I have often heard it, as I have given it, from other sources. [What little money Rowan had with him, he divided equally among these noble men, to whose generosity and quick sense of honor he owed his life—for had he been recaptured, he would assuredly have been tried, and, if tried, convicted, as his co-conspirator Jackson was.—There is an anecdote connected with Jackson's not escaping which interests me much more than Rowan's escape. Jackson was an Irish clergyman sent over from France, in 1794, to as-

ing, a little after break of day, they arrived within view of St. Paul de Leon, a fortified town, on the coast of Bretagne. As the sun rose, it dispersed a dense fog that had prevailed overnight, and discovered a couple of miles behind them, moving along under easy sail, the British Channel fleet, through the thick of which their little boat had just shot unperceived.

The party, having landed, were arrested as spies, and cast into prison, but in a few days an order from the French government procured their liberation. Hamilton Rowan proceeded to Paris, from which, in a political convulsion that shortly ensued, it was his fate once more to seek for safety in flight. He escaped this time unaccompanied, in a wherry, which he rowed himself down the Seine. The banks were lined with military; but he answered their challenges with so much address, that he was allowed to pass on unmolested. Having reached a French port, he embarked for the United States of America, where, at length, he found a secure asylum.

Hamilton Rowan, though of Irish blood, was born and educated in England. In his youth he acquired a large property under the will of his maternal grandfather, Mr. Rowan, a barrister and lay-fellow of Trinity College, Dublin, who, in a kind of prophetic spirit, made it a condition of the bequest, "that his grandson should not come to Ireland until after he should be twenty-five years old."

certain whether if the Directory invaded Ireland, the mass of the people would receive the French. He communicated his business to an attorney in London, who sold him to Pitt, and was employed to follow Jackson to Ireland and watch him. After a time, the informer "gave tongue," and Jackson was arrested—he was subsequently tried (the first case of high treason in Ireland for more than a century), convicted, and brought up for judgment, but he evaded it, by taking poison, and died in the dock, his last words, which were addressed to Curran, being those of Pierre, "We have deceived the senate." When in prison, Jackson was visited by a friend who remained until late at night. Jackson went with him to the door where the jailer generally waited. They found the man asleep and the prison-keys by his side, on the ground. Jackson took them up, opened the prison-door, and was urged by his friend to escape. He hesitated for a moment—"No," said he, "I *could* do it, but what would the consequences be to this poor fellow, who has been so kind to me? Let me remain and meet my fate." He closed the door, turning from his friend and liberty, locked himself in, and resumed his place in the dungeon.—M.]

JOHN LESLIE FOSTER.

The first opportunity I had of closely observing the eminent statesman and celebrated legislator whose name is prefixed to this article, was afforded by the Louth election [1826]. Mr. Foster is so intimately connected with that remarkable event, that some account of the details which accompanied it will not be inappropriate. The standard of the Association had been raised in Waterford, and Villiers Stuart proclaimed himself the antagonist of the House of Curraghmore. All eyes were directed to the field in which the great contest was to be waged. Both the combatants brought hereditary rank and vast opulence as their allies, besides the auxiliary passions of the powerful parties to which they were respectively attached. There was, however, nothing surprising in the enterprise of Mr. Stuart. During his minority, the savings of his estate had accumulated to a very large sum, and he was possessed of the means of engaging in a bold political adventure, without running any risk of permanently injuring his fortune. It would have been far stranger if, with his large property and his enlightened opinions, he had allowed the Beresfords to maintain an undisputed masterdom in his county.

While the national attention was fixed upon the events which were taking place in Waterford, news arrived in Dublin which excited a far greater sensation than the contest between the two rival patricians of Dromona and Curraghmore; and it was announced that Mr. Alexander Dawson, a retired barrister with a small fortune, had started for Louth. In that county the Protestant gentry were regarded as omnipotent. For upward of half a century, the Jocelyns and the Fosters had

returned two members to Parliament, and divided the county, like a family borough, between them. A strong and apparently indissoluble coalition had been effected between Lord Roden* and Lord Oriel; and it was supposed to be impossible to make any effectual opposition to the union of Orangeism and of Evangelism, which the wily veteran of Ascendency, and the frantic champion of the New Reformation, had effected.

To this combination of power Mr. Dawson had neither wealth nor connections to oppose. He had even intimated that he would not bear any portion of the expenses, and must be returned by popular contribution. The ordinary preparations had not been made, and it was only three days before the election commenced that his intention was declared. Leslie Foster affected to treat his pretensions with derision. He was to be seen among groups of sympathizing king's counsel, and assentating assistant-barristers, with his forefinger and thumb brought into syllogistic conjunction, demonstrating the utter absurdity of Alexander Dawson in attempting a contest. A profound seriousness habitually pervades the countenance of Mr. Foster, who, accustomed to the most abstruse meditations upon political economy, and conversant with the deepest mysteries of legislation, has seldom

* The Earl of Roden (who sits in the House of Lords as Baron Clanbrassill, in the peerage of the United Kingdom), is now, in 1854, in his sixty-sixth year. He was long notorious for his connection with the Orange faction, and has taken great interest in all attempts at changing Irish Catholics (when food is scarce) into nominal converts. When the potato crop turns out favorably, the "reformed" lapse into their ancient faith. It was believed that Lord Roden's great test of a "renewed spirit" was the partaking of meat, on a Friday—hence they were called "leg-of-mutton converts." However misplaced his political and polemical zeal, Lord Roden is a good landlord. He has a pension of twenty-seven hundred pounds sterling, for the abolished office of Auditor-General in Ireland.—His eldest son, Viscount Jocelyn, born in 1816, was military secretary to the Chinese Expedition, and is author of "Six Months in China." He afterward held office under Sir Robert Peel (from February, 1845, to July, 1846), as one of the Secretaries of the India Board. He is a moderate conservative, and a well-informed, unpresuming man. His wife, one of the handsomest women in the Court of Victoria (she is daughter of Lady Palmerston, by her first marriage) is a Lady of the Bedchamber to the Queen.—Viscount Jocelyn has a seat in the House of Commons, as member for Lynn Regis, in the county of Norfolk, for which borough he was first elected in 1842.—M.

been known to use the risible organs for the purposes for which they were originally intended. The notion of a contest in Louth, however, seemed to strike him as so exceedingly ludicrous and extravagant, that upon this occasion he broke through all the rules of solemnity by which his physiognomy is usually controlled. Still, he had left off laughing for such a length of time, that his smile sat uneasily and unnaturally upon him, and the muscles of merriment had become so rusty and so destitute of pliability, that they accommodated themselves slowly and ponderously to their functions; and many of his friends, observing these novel phenomena of mirth, exclaimed, "What can be the matter with Leslie Foster!" He, however, made ample compensation for this sudden and unmeet deviation from his habitual gravity, by the seriousness of his aspect, upon his appearance at the hustings of Dundalk. I proceeded there before the arrival of Mr. Foster.

From the brow of a hill which surmounts the town, when I was at a short distance from it, I saw a vast multitude descending with banners of green unfurled to the wind, and shouting as they moved along. I could not at first discern with distinctness the gentleman who was the immediate object of this wild ovation; but, on approaching and mixing with the dense mass of enthusiastic patriots myself, I saw, seated in an old gig, Mr. Alexander Dawson, the aspiring candidate who had presumed to enter the lists with the hereditary representatives of the County of Louth. He wore an old frock-coat covered with dust, and a broad-brimmed, weather-beaten hat, which surmounted a head that streamed with profuse perspiration; his face was ruddy with heat, but, notwithstanding the excitement of the scene, preserved its habitual character of sagacious quietism and tranquil intelligence. He did not seem to be (though placed in a most extraordinary and trying situation) at all conscious of the boldness of the enterprise in which he was embarked, and was perhaps the least moved of the multitude that were rushing rapidly on; while the people were hurraing about him, throwing their hats into the air, and catching them with a wild shriek and prance (a common denotement of joy among the lower Irish), he sat composedly in

his old vehicle, and was busy in preserving order and regularity in the procession. There were some three or four ragged fiddlers before him, who played with all their might, and in notes of the harshest discord, a tune which they intended for the popular air of "Nancy Dawson," and which they selected for no other reason than that it was connected with his name. It was only at intervals that the hard and vigorous scraping of these village violins was distinctly audible; for the cries of "Down with Foster!" and "Dawson for ever!" resounded from every side in yells of vehement uproar, and monopolized the hearing faculties. A wonderful enthusiasm prevailed through this vast gathering; and in the faces of the fierce and athletic peasants who drew their favorite on, as they occasionally turned their heads back to look on him, and shouted in the retrospect, the strongest passions of mingled joy, ferocity, and determination, were expressed.

In a few minutes Mr. Dawson and his gig were drawn into the main street of Dundalk, and stopped at Magrath's hotel, which was the rendezvous of patriotism during the election. There the committee, which had been hastily gotten up, was collected, and welcomed Mr. Dawson on his arrival. He descended amid loud acclamations, and soon after appeared at a window in the tavern, whence he addressed the people. Several thousands were assembled, and in an instant deep silence was obtained. In a plain, brief, perfectly simple, and intelligible speech, Mr. Dawson told them that for their sake, and not to gratify his personal ambition, he was determined to oppose Mr. Foster and Mr. Fortescue, and to break the Oriel and the Roden yoke. His speech was received with the most rapturous plaudits, and it was manifest that, whatever might be the issue, a spirit had arisen among the people which portended far more than could have been originally calculated While Mr. Dawson and others of the same party were addressing the people, the carriages of the leading gentry, drawn by four horses, were seen entering the town, but, in order to avoid the multitude, wheeled round through a street parallel to that in the opening of which the people were gathered. Astonishment and apprehension were visible in their faces,

They perceived already that a dreadful struggle was about to take place.

The wonted harangues having been delivered to the people, Mr. Dawson and his committee proceeded to the Court-house, which occupies one side of a square in the centre of the town. This building presents in its exterior a very beautiful object. It was erected under the immediate superintendence of Mr. Foster, who furnished the design, which he took from the Temple of Theseus; for Mr. Foster values himself upon a universality of acquisition, and is a sort of walking encyclopedia, or peripatetic repertory of all the arts and sciences, and is as profoundly skilled in architecture as he is in any of the crafts of the Custom-House or the mysteries of the Excise. Opening Stuart's Athens, he lighted on the Temple of Theseus, and selected it as a model for a Court-house at Dundalk; and, accordingly, the most beautiful and inconvenient temple in which the rites of justice have ever been performed has been produced under his architectural auspices.

In that part of this incongruous edifice which is allocated to the County business, the High-Sheriff assembled the free-holders to read the writ. On his left hand stood Mr. Leslie Foster. How changed from him who had, a few hours before, derided as impotent the efforts of the Roman Catholic body to push him from his stool in the legislature! His complexion is naturally pale, but it now became deadly-white. He surveyed the dense mass of the people with awe, and seemed to recoil from the groans and hootings with which he was clamorously assailed. When proposed as a candidate, he delivered a speech, in which he clumsily sought to reconcile his auditors to his resistance of their claims, and appeared to be aware of the wretchedness of the task which he had imposed upon himself. The only relief which he received was derived from the execration which the mention of Lord Roden and his party produced in the assembly; for, obnoxious as that nobleman is through the rest of Ireland, his fanaticism and narrow-heartedness have secured for him a more condensed and concentrated odium in the town of Dundalk. Mr. Dawson spoke with equal brevity and perspicuity, and made it his boast that he be-

longed to the middle classes, and was best calculated to represent their feelings and to do justice to their interests.

On the succeeding day the polling commenced with activity, Mr. Fortescue being sustained by the Roden influence and a large portion of the Protestant aristocracy; the rest of that body were the supporters of Mr. Foster; while Mr. Dawson relied upon a few Roman Catholics of fortune, and on the spirit of agrarian insurrection, which had broken out among the forty-shilling freeholders. For the first few days, Mr. Foster and Mr. Fortescue acted in conjunction, because they calculated that they should be able to throw Mr. Dawson out; but, after some demonstration of the power of the people, the agent for Mr. Fortescue (Mr. Johnson) broke off the coalition, and the three candidates rested upon their individual resources.

In this state of things, Mr. Sheil, who was counsel for Mr. Dawson, applied to Mr. Johnson, as agent for Mr. Fortescue, and offered to give him a certain number of votes, upon condition that Mr. Fortescue should co-operate with the popular party in throwing Mr. Foster out; but Mr. Johnson, confident at the time that Lord Roden's interest was paramount, declined to accede to a proposition which it is probable his employer would have regarded as unworthy of him. Mr. Fortescue was, however, outwitted by Leslie Foster; for the coalition of the first days threw so many additional votes into the scale, as enabled him, ultimately, though only by a very small majority, to defeat his incautious and unskilful auxiliary.

Some time elapsed before any decided demonstrations of superiority took place; and the exertions of all parties were prodigious. Emissaries were despatched night and day through every part of the county, and no means of persuasion were spared by the Catholic, or of terror by the Protestant faction, to bring the freeholders in. Priests and attorneys were seen scouring the country in all directions, and landlords and drivers, armed with warrants of distress, knocked at the door of every hovel. The spirit of exertion which animated the contending parties extended itself to the counsel, and Mr. North (the brother-in-law of Mr. Foster), Mr. Murray, who was employed by Mr. Fortescue, and Mr. Sheil, who acted for

Mr. Dawson, in the High Sheriff's booth, exhibited a zeal and alacrity which a mere professional sympathy with their clients could scarcely have supplied.

The Sheriff's booth was in a small room adjoining the County-court, and offered, through the iron bars of its single window on the ground-floor, a dismal spectacle. A wall, at the distance of about four feet from this window, rises to a considerable height, and forms a small quadrangular space, covered with rank grass and broken stones, in which the murderers at Wildgoose Lodge are buried. In intervals of leisure, the eyes of the persons, whose business it was to remain in this room, would involuntarily rest upon this spot, and the conversation turned from the subject of the election to the terrible atrocity of which that dreary piece of ground was the memorial. The meditations which it supplied were, however, of brief duration, for a question connected with a vote would arise to dissolve them.

As the election proceeded, the anxieties of Mr. Foster augmented. He seemed to lose all command and self-possession. He would rush into the Sheriff's booth with a precipitate vehemence, which was the more remarkable from the contrast which it formed with his usual systematic and well-ordered behavior. "Soldiers!" he would cry, "soldiers, Mr. High-Sheriff! I call upon you to bring out troops, to protect me and my supporters. My life is in peril—my brother has just been assailed—we shall be massacred, if you persevere in excluding troops from the town!" Such were the exclamations he would utter, under the influence of mingled anger and alarm; for I believe that his fears, though utterly unfounded, were sincere. To these appeals the friends of Mr. Dawson would oppose equally vehement adjurations. "What! call out troops! bayonet the people! No, Mr. Foster; the scenes of 1798 are not returned; the Sheriff will not be deluded by the phantoms which issue from your over-excited imagination, or accede to your sanguinary invocations."

The High-Sheriff was placed in a very embarrassing condition in the midst of this uproar of remonstrance. It was said that his leanings were personally favorable to Mr. Foster; but

he is a brewer of the famous Castlebellingham ale, and the interests of his brewery being at variance with his political predilections (if he have any), he was kept in a state of painful hesitation, until Mr. Chaigneau, who acted with the utmost impartiality as Assessor, resolved his difficulties, by very properly stating, that when evidence of danger should be laid before the Sheriff upon oath, he would act upon it. The town remained perfectly peaceable. There were, indeed, loud cries and vehement shoutings, but no personal molestation was offered to anybody. A perpetual procession of fiddlers and fife-players moved through the streets, who played no other air than "Nancy Dawson" from morning until twelve at night.

At the head of this body of everlasting minstrels were two singular persons, who carried large banners of green silk, with national emblems and mottoes figured upon them. One of these strange individuals was a doctor—a large, bloated, plethoric mass of a man, dressed in old rusty black, covered with snuff, with a protuberant belly, and a short, waddling gait, which a quantity of matutinal potations had rendered exceedingly unsteady; while his countenance, composed of large blotches of orbicular red, with a pair of large glazed eyes, surmounted by white shaggy eyebrows, confirmed the conjectures which the irregularity of his movements suggested. The doctor carried the Dawson standard, having two or three stout fellows to co-operate in his sustainment. When he arrived at the end of the street, in turning round to direct the procession, of which he was the chief leader, the doctor would utter a loud but inarticulate shout, and return toward the courthouse; and when he had arrived there, he would again wheel about at the head of the multitude with a similar hurrah. Thus, he traversed, from morning till sunset, the principal street of the town, taking a glass of Irish restorative at brief intervals in these strange perambulations.

Next in command to the doctor was old Harry Mills, whose fame has since travelled across the Atlantic, and who has not only had his health drunk in America, but has received a subscription of twenty pounds from the New World. This peasant was among the most conspicuous figures at the Louth elec-

tion. He had about four acres of land, for which he paid a high rent to his landlord; and although he completely depended on him, this "village Hampden," as he was called, withstood the petty despotism of Mr. Woulfe M'Neil, and voted in despite of him for Mr. Dawson. Harry Mills had gone through many a wild adventure. He had been concerned in the affair of 1798, and was obliged to fly the country; but, as he said himself, he had the consolation of seeing an Orangeman's house on fire upon the shore, as he was sailing in a fishing-boat from the port of Dundalk. "Please your honor," Harry used to say, "as I was leaving ould Ireland, I saw the flames blazing out of the Cromwellian's house; and many a time, when I was keeping watch on the coast of Guinea, I used to think of that same fire." Harry was obliged to turn seaman, and became a sailor in a slave-ship. He was taken by a French privateer; and I do not recollect exactly how he contrived, after years had passed, to get back to Ireland. His spirit slumbered within him until the Louth election, and then it broke forth, like the flame from the Orangeman's house, which had ministered with its flashes to his retrospective consolations. With that ocean-look and attitude which belong to all seafaring people, Harry blended the sly cunning and observant sagacity which characterize the Irish peasant, and offered, to a lover of the moral picturesque, one of the most striking objects at the Louth election. He marched, in company with the doctor, as second standard-bearer to Mr. Dawson, and was as unwearied as his brother patriot in this his new, and, if we could judge from his shouts and exclamations, his delightful vocation.

But in drawing the figures and detailing the incidents by which Mr. Foster was surrounded, I allow him, perhaps, to leave the foreground of the picture. As the election advanced, his fears augmented, and he presented new phenomena of terror. His opponents felt a malevolent pleasure in watching the torture which he was undergoing, and in observing the writhings of the mind, which were apparent in his demeanor and countenance. But Alexander Dawson had in a few days ceased to be the immediate object of his competition; for the latter

having obtained a vast majority, his return was no longer matter of speculation, and the fiercest contest was carried on between the Roden and the Oriel candidates, who had originally entered in alliance into the field. Though they agreed in all political opinions, they afforded proof of the promptitude with which abstract questions are lost in individual interests. The Catholics had carried Mr. Dawson's election, and Mr. Foster and his friends used all their efforts to induce them to remain neutral; observing that Mr. Foster (which was a just remark) was not personally obnoxious, that he was a good landlord, and that Lord Roden's candidate was not only politically but fanatically opposed to them.

These arguments had their weight with the liberal party although the more sagacious saw that it would be a consummation of their victory, if they could eject from the House of Commons an individual who had contributed some talent and a great deal of research and industry to the maintenance of his party. Still, the antipathy to Lord Roden prevailed: and the detestation in which his wild, lugubrious doctrines were held; the recollection of his having refused a small piece of ground to erect a more commodious house of Catholic worship; his penurious piety; his omission, with all his ostentatious Christianity, to subscribe to a single charitable institution at Dundalk; and other circumstances of a similar character—made the majority of the people rather inclined toward Leslie Foster than to the candidate by which the Roden interest was represented. Mr. Fortescue had now abundant reason to regret the fastidious spirit with which a tender of Catholic support had been originally rejected.

Almost all the county had been polled out, and then, but when it was too late, it was communicated to the Catholics, but not through the ostensible agent of Mr. Fortescue, that their assistance was necessary to throw Mr. Foster out. Had this application been made the day before, the Catholics, who were three hundred ahead of the Protestant candidates, might have interfered with effect. Their committee refused to act; but individuals took upon themselves to gather as many straggling freeholders as could be collected. It is a rule that, after

a certain number of days, if twenty persons do not poll before six o'clock, the booth where this deficiency takes place shall close. Every booth, excepting one, was shut about four o'clock; and if the Roden party could contrive to poll twenty before six, they would have been entitled to hold the booth open. They calculated that on the next day they could bring in enough of voters to obtain a majority, with the aid of such of the Catholics as did not hate Lord Roden less, but dreaded Leslie Foster more, and on that principle were doing their utmost to throw him out of Parliament. About four o'clock, Leslie Foster had a majority of nine or ten, and I believe all his votes were exhausted. Some twelve or thirteen persons had polled in the booth in question; and if Mr. Fortescue could procure so many persons merely to poll, as would, with the votes already given, make up twenty, his object would have been secured. The issue of the contest, therefore, depended upon minutes.

The booth presented a most singular scene. It was crowded to excess, from the condensation of the public interests within its narrow limits. Scarcely space enough was left for the admission of the voters; and, indeed, it was the object of the Foster faction to retard and obstruct their arrival by every possible expedient. In order to consume time, fellows were put up on Mr. Foster's tallies who had no votes; and their rejection, and the clamor and confusion which it produced, served to consume the hour, of which every instant was of value. Mr. Fortescue's party still contrived to poll a few freeholders, who were supplied by the Catholics; and it was matter of great doubt whether the important and decisive number "twenty" could be produced. After five o'clock, the suspense of all parties became increased, and every eye was alternately turned to the spot where the freeholders were polled, and to the watches which were held in the hands of the spectators, and which indicated the progress of time to that point on which the issue was to hang. I never saw a deeper expression of solicitude. Mr. Fortescue himself was not there, as he was confined by the gout; but his partisans showed an anxiety as great as if personally engaged by individual interest in the event.

The friends of Mr. Foster, who were gathered round the Sheriff, manifested, if possible, a still greater intentness of expectation. George Pentland, who had been long solicitor to the customhouse, of which Mr. Foster was, since 1818, the counsel, acted as his agent, with an alacrity which inveterate habits of professional sympathy had naturally produced. Many reciprocal obligations had endeared the counsel and the attorney to each other; and it would be difficult, perhaps, to adjust the balance of gratitude, and to determine on which side the golden scale ought to incline. Certain it is that Mr. Pentland exhibited upon this occasion, for a gentleman who was alternately his patron and his *protegé*, the most ardent sympathy. During the earlier period of the election, George had preserved that spirit of coaxing good-humor, and of humbug urbanity, which belongs to the good old school of Irish pensioners and placemen. "Oh, my good friend," George used to say (laying his customhouse gripe upon your shoulder, and refusing you a permit to pass), "you little know Leslie Foster. Mind what I say, and I have an eye in my head, Leslie will be found voting for you yet—mind"—(and then he would let loose your shoulder, while he placed his forefinger on the tip of his nose, and winked sagaciously at you)—"mind what I say—but I say nothing—mum's the word!" But George laid aside all his intimations, whether verbal, physiognomical, ocular, or nasal, as the fatal hour of six drew on; and with eyes glaring with expectation, and his brows raised in Saxon arches on his forehead, he sat waiting the eventful instant. Near him stood Mr. North, whose naturally sweet and placid countenance, without exhibiting the fierceness of faction, assumed for a moment an aspect of acerbity, while his lips, that were as white as ashes, trembled and quivered in the expression of the few words to which he occasionally gave utterance.

But where was Leslie Foster all this time? This question, which the reader will probably ask, I put to myself; and, on turning my eyes round, I was at first at a loss to discover him. At length I observed a person sitting in a remote corner of the room, upon a chair which was thrown back in such a way that it was balanced on two legs, while the head of the somewhat

round and squat gentleman by whom it was occupied leaned against the wall. His hat was drawn over his brows, and his eyes were closed. His cheeks, which seemed to have been originally full and plentiful, appeared to have suffered a cadaverous collapse. Thick drops of perspiration trickled down his visage, which he occasionally wiped away with an Orange handkerchief held in his right hand; while a watch, on which, however, he did not look, was in the other. I did not at first recognise this extraordinary figure; but upon a sudden it started up, and on the opening of the eyes, and the full disclosure of the countenance, I thought I could perceive some faint resemblance to Leslie Foster. He seemed, at first, to stand in an attitude of cataleptic horror; and when he recovered himself, he clasped his hands, and, unable to sustain his agony, rushed with a frantic speed out of the room. He had given everything up for lost; but he was mistaken. The twenty votes had not been made up. The clock struck six, and John Leslie Foster was saved from being buried by torchlight [as a suicide], under the new act of Parliament, in the churchyard of Dundalk.

Mr. Dawson and Mr. Foster were returned as duly elected. The latter did not attend at the hustings when the event of the election was proclaimed. He set off for Cullen, the seat of Lord Oriel, in that heaving and agitation of mind which the stormy passions leave behind, after the immediate occasion of their excitement has ceased to act. His flight was considered as most inglorious, and it was boasted by the Catholic orators that he did not dare to meet them. This was a great disappointment to Mr. Sheil and other dealers in harangue, who expected to show off at his expense. He very wisely effected his retreat to his uncle's (the late Lord Oriel's) residence, whose octogenarian philosophy did not prevent him from feeling a deep and corroding interest in the event. Had Mr. Foster remained sequestered in the beautiful woods which the Speaker of the Irish House of Commons lived to see rise about him, he would have acted wisely.* But, after a short interval, the

* When the Union was passed, John Foster was Speaker of the House of Commons. He was Mr. Leslie Foster's uncle, and was raised to the peerage

public were astonished by a resentful lucubration from his pen, in which he vilified the proceedings of the Catholics, and inveighed with great virulence against the priests. If ever he stands for the county of Louth again, which is very improbable, this document will be brought in judgment against him.

He was guilty of another indiscretion, or rather a piece of bad taste, as it was far more deserving of laughter than of condemnation. Having fled from Dundalk, where Mr. Dawson was chaired, he caused himself to be put through a similar

by the title of Lord Oriel.—I have so repeatedly had occasion to refer to the creation of peers, that it may not be out of place to say something about the cost ("surget amari aliquid"), which is considerable and is defrayed by the person who receives the elevation, except when the dignity is conferred for public services, when the amount is paid out of the sum granted by Parliament for Civil Contingencies. In 1853, on the motion of Mr. Hume, who always desires to know how the public money is expended, a Parliamentary return was printed, of the persons to whom, and for what services, the sum of four hundred and twenty pounds sterling, charged in the Civil Contingencies for 1852, was paid, and the names of the several persons receiving the same for the patent creating General Lord Fitzroy Somerset a baron of the United Kingdom. He had been Military Secretary, for a long period, to the Duke of Wellington when Commander-in-chief, and, on the Duke's death, in September, 1852, was appointed Master-General of the Ordnance, and called to the Upper House as Baron Raglan. It appears, by the official return, that, in the expenses of his patent of nobility, the crown-office charges amounted to £390, 15*s.* 4*d.*; and the authority for the same is stated "ancient usages." Of that sum, £150, 2*s.* went to the Stamp-office; £104, 6*s.* 10*d.* to the royal household. Some of the items are curious. The payment to the Lord Chancellor, Great Seal fee, is £2, 6*s.* 8*d.*; the clerk of the Hanaper, has £24, 13*s.* 4*d.*; the deputy, £1, 1*s.*; the Lord-Chancellor's purse-bearer, has £5, 5*s.*; the porter to the Great Seal, £1, 1*s.*: gentlemen to ditto, £6; sealer, £1, 2*s.* 6*d.*; deputy ditto, 10*s.* 6*d.* Chaffwax, £1, 2*s.* 2*d.*; deputy ditto, 10*s.* 6*d.*; principal Usher of Scotland, £6, 13*s.* 6*d.*; Scotch heralds, £16; English ditto, £36; Earl-Marshal, £5; Garter-King-at-Arms, £20; and the gold-emblazoned skin and boxes to hold the patent and seal, cost £9. The Patent-office charges amounted to £29, 18*s.* 6*d.* By the Attorney-General, £20, for approving, settling, and signing the Queen's warrant for Her Majesty's signature, according to "ancient usage." By the clerk of the Patents, to the Attorney-General, £7, 7*s.* 6*d.*, by ancient usage, and £1, 10*s.* stamp duty on warrant. By the engrossing clerk, £1, 1*s.*, for engrossing the warrant and for parchment. In this manner £420 was expended in the creation of a baron of the United Kingdom. The higher the rank conferred, the heavier the charges. It is understood that the cost of a Duke's patent is nearly four thousand pounds sterling.—M.

honor in his uncle's demesne. All the vassals and retainers of Lord Oriel, who could be procured, were collected together, and Mr. Foster having been placed upon the shoulders of four stout Protestant tenants, was conveyed through the village of Cullen, amid the plaudits of the yeomanry, the hurrahs of the schoolmaster, the sexton, and the parish-clerk, and the acclamations of the police.

I have hitherto considered Mr. Foster as a candidate, and I should give an equally minute account of him as a member of Parliament, but that I have not had the same fortunate opportunities of observation. I do, indeed, remember an incident, which may be considered, to a certain extent, illustrative of his influence as a legislative speaker; and, in the lack of any other means of describing him, it may not be inappropriate to set it down.

I was under the gallery of the House of Commons during the debate on the Catholic question, in the year 1825. The House was exceedingly full. Mr. Foster rose to speak, and the effect of his appearance on his legs was truly wonderful. In an instant the House was cleared. The rush to the door leading to the tavern up stairs, where the members find a refuge from the soporific powers of their brother-legislators, was tremendous. I was myself swept away by the torrent, and carried from my place by the crowd, that fled from the solemn adjuration with which Mr. Foster commenced his oration. The single phrase "Mr. Speaker" was indeed uttered with such a tone as indicated the extent of the impending evil; and finding already the influence of drowsiness upon me, I followed the example which was given by the representatives of the people, who, whatever differences may have existed among them upon the mode of settling Ireland, appeared to coincide in their estimate of Mr. Foster's elocution. From the Treasury benches, the opposition and the neutral quarters of the House, a simultaneous concourse hurried up to Bellamy's, and left Mr. Foster in full possession of that solitude which he had thus instantaneously and miraculously produced.

I proceeded up stairs with some hundreds of honorable gentlemen. The scene which Bellamy's presents to a stranger is

striking enough. Two smart girls, whose briskness and neat attire made up for their want of beauty, and for the invasions of time, of which their cheeks showed the traces, helped out tea in a room in the corridor. It was pleasant to observe the sons of Dukes and Marquises,* and the possessors of twenties and thirties of thousands a year, gathered round these damsels, and soliciting a cup of that beverage which it was their office to administer. These Bellamy bar-maids seemed so familiarized with their occupation, that they went through it with

* The sons of the nobility are eligible to sit in the House of Commons, though it is an anomaly for persons belonging to the Aristocracy, by feeling and interest, as well as by birth, to be nominal representatives of the People. Irish peers may also be members of the House of Commons—but not for an Irish county or borough. Thus Earl Annesley represents Great Grimsby, in Lincolnshire, and Viscount Palmerston is member for Tiverton, in Devonshire. The eldest sons of Dukes, Marquises, and Earls, bear, by courtesy, the second titles of their fathers. Thus the Duke of Leinster's eldest son is called Marquis of Kildare: the Marquis of Westminster's is Earl of Grosvenor: the Earl of Lichfield's is Viscount Anson. In some few cases, the holder of a peerage has not also received the rank immediately below his own. Thus, the Duke of Manchester's second title is only Viscount Mandeville. The issue of junior children of Dukes, Marquises, and Earls, have respectively the title of "Lord" or "Lady" prefixed to their name—so we have Lord John Russell, Lady Blanche Gower. The eldest son of a Viscount or a Baron is plainly "The Honorable"—thus, Viscount Strangford's eldest son is "The Honorable George Smythe," and his brothers and sisters would be entitled to the same prefix, which is confined only to the nobility—not even a Baronet being entitled to it. A member of Parliament, spoken of *in* Parliament as "the honorable member for so-and-so," has no distinctive appellation *out* of it. Therefore we have plain Mr. Cobden; but when a man is a Privy Councillor, he has a permanent title—such as "The Right Honorable Benjamin Disraeli." Every peer is "right honorable." Courtesy titles are not recognised by law. Thus, if the late Duke of Wellington's eldest son, or the Duke of Bedford's brother were to be named in the *London Gazette*, as having obtained any appointment, the description would be "the honorable Arthur Wellesley, commonly called Marquis of Douro," or "the honorable John Russell, commonly called Lord John Russell."—The House of Commons consists of 658 members, and I find, on carefully going over the list, that 228 of these belong to the nobility by birth or marriage. That is, more than one third of the representatives of the *Commons* of the United Kingdom actually are members of the *Aristocracy*, the natural opponents of popular privileges and rights. The eventual remedy will be, to effect a reform by which peers' sons shall be disqualified from sitting in the Commons House of Parliament.—M. .

perfect nonchalance, and would occasionally turn with petulance, in which they asserted the superiority of their sex to rank and opulence, from the noble or wealthy suitors for a draught of tea, by whom they were surrounded. The unfortunate Irish members were treated with a peculiar disdain, and were reminded of their provinciality by the look of these Parliamentary Hebes, who treated them as mere colonial deputies should be received in the purlieus of the state.

I passed from these ante-chambers to the tavern, where I found a number of members assembled at dinner. Half an hour had passed away, toothpicks and claret were now beginning to appear, and the business of mastication being concluded, that of digestion had commenced, and many an honorable gentleman, I observed, who seemed to prove that he was born only to digest. At the end of a long corridor, which opened from the room where the diners were assembled, there stood a waiter whose office it was to inform any interrogator what gentleman was speaking below stairs. Nearly opposite the door sat two English county members. They had disposed of a bottle each, and, just as the last glass was emptied, one of them called out to the annunciator at the end of the passage for intelligence. "Mr. Foster on his legs!" was the formidable answer. "Waiter, bring another bottle!" was the immediate effect of this information, which was followed by a similar injunction from every table in the room. I perceived that Mr. Bellamy owed great obligations to Mr. Foster. But the latter did not limit himself to a second bottle; again and again the same question was asked, and again the same announcement returned—"Mr. Foster upon his legs!" The answer seemed to fasten men in inseparable adhesiveness to their seats Thus two hours went by—when, at length, "Mr. Plunket on his legs," was heard from the end of the passage, and the whole convocation of compotators rose together and returned to the House.

Some estimate of the eloquence of Mr. Foster may be formed from this evidence of its effects. I am unable myself to supply, from personal observation, any better detail of it. But it is not necessary: Mr. Plunket, in a single phrase, has described

his legislative faculties, and on the night of which I have been speaking remarked that "he had turned history into an old almanac." I should not omit to mention, in justice to Mr. Foster, that in converting the annals of mankind to this valuable purpose, he exhibits a wonderful diligence. His speeches are the result of great industry, and he takes care not to deliver himself of any crude, abortive notions, such as are thrown off in extempore debate; but, after allowing his meditations to mature in a due process of conception in his mind, brings them forth with a laborious effort, and presents his intellectual offspring to the House in the "swaddling" phraseology in which they are always carefully wrapped up.

It was, indeed, at one time believed and studiously propagated by his friends, that he did not prepare his orations, and that he poured out his useless erudition, and his mystical dogmas, without premeditation or research. That erroneous conjecture has been recently corrected; for, upon a late occasion, when the Chaplain of the House of Commons was reading prayers, at four o'clock, Mr. Foster, who appeared to those at a distance to be kneeling in a posture of profound Parliamentary piety, with his hands raised, as is the fashion with the devout, to his lips, was heard to mutter through his fingers: "Had it been my good fortune, Mr. Speaker, to have caught your eye at an earlier period of the debate, I should have gone more at length, than I now, at this late hour of the night, intend to do, into the details of a question, upon which the integrity of the constitution, the sacred privileges of the Protestants of Ireland, and the purity of the reformed religion, entirely depend." Mr. Richard Martin, the then member for Connamara, who happened to hear Mr. Foster, communicated this important discovery; and it is now well ascertained that Mr. Foster takes exceedingly great if not very meritorious pains at his oratorical laboratory, and passes many a mid night vigil in compounding those opiates with which, at the expense of his own slumbers, he lulls the House of Commons to repose.

Mr. Foster may be considered in the various phases of barrister, scholar, commissioner of education, and counsel to the

commissioners of customs and excise.* As a member of the bar, he is not very remarkable. He is not in considerable business, which I am inclined to attribute to his dedication of himself to political pursuits; for he came to the profession under great advantages, having industry, a tenacious memory, and the patronage of the late Chief-Justice Downes. I think that he would have succeeded in the Court of Chancery, had he attended exclusively to the bar; for certainly he is not destitute of the powers of clear reasoning and perspicuous exposition. His great fault is, that he diffuses an air of importance over all that he says, looks, and does, which is not unfrequently in ludicrous contrast with the matter before him. Instead of speaking trippingly upon the tongue, he loads his utterance

* John Leslie Foster was grandson of Chief Baron Foster, son of Dr. Foster, Bishop of Clogher (who died in 1787), and nephew to John Foster, Speaker of the Irish House of Commons, who was raised to the peerage as Lord Oriel. Without doubt, Mr. Leslie Foster took double pains to become a lawyer, for though called to the Irish bar in 1803, he had previously been admitted, by the Society of Lincoln's Inn, in London, to the English bar also. In 1804, he published a book "On the Principles of Commercial Exchanges." He was industrious, besides being connected with the nobility by relationship and marriage, and got on in his profession. He was successively appointed Commissioner of Education (salary twelve hundred pounds sterling a year) and counsel to the Commissioners of Customs and Excise—the average annual income of which, from 1818, when he entered into the office, until 1828 (when he received as "compensation," two thousand pounds sterling for life) was three thousand seven hundred and thirty pounds sterling. Therefore these two appointments, the duties of which were neither onerous nor troublesome, gave him about five thousand pounds sterling a year, besides the collateral business coming to him, from the position he had thus obtained; whatever other phenomenon marked his birth, Leslie Foster did not come into the world with a wooden spoon in his mouth. His politics were intensely Tory, and recommended him to Trinity College, Dublin, as a "marvellous proper man" to represent its intolerance in Parliament. His maiden speech was delivered in April, 1812, in opposition to Grattan's motion against the Penal Laws, and he published it in a pamphlet. In Parliament, from first to last, he was consistent—in resisting liberal measures, no matter by whom introduced. In July, 1830, the Duke of Wellington made him one of the Barons of the Court of Exchequer in Ireland. He was a laborious judge, and little more can be said of him in that capacity. In 1842, he was transferred to the Court of Common Pleas. He went the summer Assize, in 1842, and dined, apparently in good health, with the Sheriff and Magistrates at Cavan, but was suddenly taken ill, had time to execute a codicil to his will, and expired, July 10, 1842. He died immensely rich.—M

with an immense weight of intonation, and is not more ponderous and oracular in Parliament than at the bar. That gravity, which Rochefoucauld has so well called "a mystery of the body," pervades his gesture, and sits in eternal repose upon his countenance. He advances to his seat, at the inner bar, like a priest walking in a procession; he lays down his bag upon the green table as if he were depositing a treasure; he bows to the court like a mandarin before the Emperor of China; quotes Tidd's Practice as a Rabbi would read the Talmud; and opens the "Rules and Orders" as a sorcerer would unclasp a book of incantation.

The solemnity which distinguishes him in Court, attends him out of it. He traverses the Hall with a gait and aspect of mystical meditation; and when he has divested himself of his forensic habiliments, still takes care to retain his walk of egregious dignity upon his return to Merrion-square. Mr. Foster has ascertained, with exact precision, the distance from his house to the Hall of the Four Courts; and has counted the number of paces which it is requisite that he should perform, whether he should go through College Green or by any of the lanes at the back of Dublin Castle. Both these ways have their attractions. In the centre of College Green stands the statue of King William, on which Mr. Foster sometimes pauses to cast a look, in which, of late, some melancholy has been observed. The purlieus of the Castle are, however, his more favorite, and perhaps appropriate walks, especially since the order for Lord Anglesey's removal has arrived.* But, which-

* The Marquis of Anglesey, who was born in 1768, was eldest son of the late Earl of Uxbridge, and, after studying at Oxford, was appointed, in 1793, when Lord Paget, to the command of a regiment he had raised among his father's tenantry. He served with this corps, under the Duke of York, in Flanders, and again in the expedition to Holland, in 1799. He had risen to the rank of Major-General when he joined Sir John Moore's army in the Peninsula, and assisted in the retreat of Corunna, and the battle there, January 16, 1809, where Moore was killed. He was married, in 1795, to a daughter of the Earl of Jersey, by whom he had eight children, but, soon after his return from Portugal figured as defendant in a crim. con. suit, in which the plaintiff was Mr. Henry Wellesley (brother to "The Duke," and created Lord Cowley, in 1828), who obtained twenty thousand pounds sterling, damages. The result was a double divorce: Lady Paget from him (she afterward married the

ever route he adopts, he never deviates from that evenness and regularity of gait with which he originally enumerated the number of paces from his residence to the Hall.

I was a good deal at a loss to account for this peculiar demeanor, until I had heard that Mr. Foster had spent some time at Constantinople. He was introduced, upon one occasion, to the Grand Seignior (a scene which he describes with great particularity), and has ever since retained an expression of dignity, which it is supposed he copied from the Reis Effendi,

late Duke of Argyll), and Mr. Wellesley from his guilty wife, *née* Lady Charlotte Cadogan. Lord Paget married the frail fair, in 1810, and they had a large family; two of their sons are members of the British House of Commons now [1854].—The trial and its revelations, gave much unenviable notoriety to Lord Paget. He was alluded to by Byron, in the line,

"And, worse of all, a Paget for your wife.

and Moore (albeit *Little* of a moralist), thus had his fling in a didactic poem, called "The Skeptic, a philosophical satire:"—

"Paget, who sees, upon his pillow laid,
A face for which ten thousand pounds were paid,
Can tell how quick, before a jury, flies
The spell that mocked the warm seducer's eyes."

Many years subsequently, when he had become viceroy, the Irish ladies declined visiting his wife, and having caused the arrest of O'Connell, on a charge of seditious language, the orator, in another speech, said, "He has caused my wife to weep. Does he know the value of a *virtuous* woman's tear?" —In 1812, Lord Paget succeeded his father, as Earl of Uxbridge. He had a cavalry command at Waterloo, and having there lost a leg, was created Marquis of Anglesey. In 1820, he voted for the bill of pains and penalties against Queen Caroline. In February, 1828, "The Duke," who had just became Premier, sent him to Ireland, as Viceroy, and his conduct there was generally impartial. But in December, 1828, having received a letter from Dr. Curtis (the Catholic Primate), which the Duke of Wellington had written to him, suggesting that the Catholic claims be "buried in oblivion" for a time, Lord Anglesey wrote back an epistle, which was published, recommending the continued agitation of the question. This gave great offence to George IV., who had become tired of eternal discussions on Catholic wrongs, and the writer was recalled. Two months after, the final settlement of the question was recommended in the King's Speech, at the commencement of the Parliamentary Session. Soon after, he was again made Viceroy of Ireland, and so continued until September, 1833. But his latter reign was not popular. He has held other high offices, connected with the army, and is the senior Field Marshal in the British army. He is now (January, 1854) in his eighty-sixth year.—M.

if not from the Sultan himself. Hitherto the negotiations with the Porte have been unsuccessful. If Mr. Foster were sent out as our minister, such a sympathetic solemnity would take place between him and the Grand Vizier, that many difficulties would, it is likely, be got rid of; and he would, by his Asiatic diplomacy of countenance and his Oriental gravity of look, accomplish far more than Lord Strangford* was able to effect.

As a scholar, Mr. Leslie Foster is, beyond all doubt, a person of very various and minute erudition. In every drawing-room and at every dinner-table at which he appears, amazement is produced by the vastness of his knowledge; and undergraduates from the College, and young ladies whose stockings are but darned with blue silk, wonder that even a head of such great diameter should be capable of containing such enormous masses of the most recondite and diversified lore.† The President of the Royal Academy of Laputa, or the father of Martinus Scriblerus, could not have surpassed him in the character, the extent, and the application of his knowledge. No matter what topics may be presented in the trivialities of discourse, he avails himself of every opportunity to evacuate his erudition. He buries every petty subject under the enormity of his learning, and piles a mountain on every pigmy theme. If he finds a boy whipping a top, he stops to explain the principles upon which it is put into motion. He is versed in all points of science connected with the playing of marbles. Should a pair of bellows fall in his way, he enters into a dis-

* Viscount Strangford, in the Irish, and Baron Penshurst, in the British peerage, distinguished himself nearly half a century ago, as the translator of Camoens, the Portuguese poet. For this, he was duly niched and pedestaled by Byron, in "*English Bards and Scotch Reviewers.*" He was born in 1780, and is yet alive [1854]: he has been Ambassador to Turkey, Russia, &c.—His son, Mr. Smythe, formerly M. P. for Canterbury, has written some pretty verses, is a good speaker, and, when in Parliament, was a leader of the Young England party.—M.

† If the quantity of brains be estimated by the size of the skull, Mr. Leslie Foster ought to have been a very clever man. His head was large, out of all proportion, and had a curious oscillating motion, more peculiar than graceful —something like the vibration of a Chinese Mandarin's image in a grocer's window.—M.

sertation upon the structure of the human lungs; and applies to those domestic conveniences of which there is such a want in the modern Athens, his learning in hydraulics.* In short,

* Such another "Admirable Crichton" as this, was to be found, a few years ago, in the person of the late Egerton Smith, for many years editor of *The Liverpool Mercury*, in England. He commenced life as a spectacle-maker, but had small skill in that craft, and took to the press. He sprinkled his articles with Greek and Latin sentences, rarely applicable to the subject, and apparently taken, at hap-hazard from some Dictionary of Quotations. In a previous work of mine, his character is sketched in full, and I take leave to reproduce it here. —"He bore the rather uncommon patronymic of SMITH. In his newspaper he was chiefly distinguished by reason of the number of hobbies which he rode. His original occupation of optician gave him a certain mechanical facility in making toys — puzzles for the curious and the idle. Asserting that he was one of the best swimmers in the world, his delight was to exhibit himself in the Mersey, floundering like a porpoise, and confident that the feats of Leander and Byron were trifling in comparison with his own. Avowing the most philanthropic motives, he invented cork-jackets to prevent death by drowning, and — sold them at a large profit. He contended that the boomerang of New South Wales was a weapon worthy of being universally adopted in European warfare, and spent a whole summer in throwing this projectile into the air, to ascertain its force, and perfect his own skill. But the triumph of his experiments and discoveries in science, and that on which he chiefly prided himself, was to show that a top (such as children of a lesser growth are accustomed to whip, in play), might be kept spinning for half an hour upon a china plate. During a series of years, he kept this subject before the public, in his newspaper, devoting columns to its elucidations, and adorning them with diagrams and wood cuts, showing the course of the spinning top, with portraits of that new instrument of science. In his newspaper, also, were given views of the cork-jackets, and sketches of the boomerang. There, too, were occasionally exhibited sketches of himself in the Mersey — floating, swimming, or trying to perform some such notable aquatic feat. For a long series of years — certainly exceeding thirty — half a column a week was dedicated, by this illustrious obscure, to himself, his notions, and his hobbies. So strongly did he exhibit the spirit of egotism in these articles, that it was frequently remarked, that his biography might easily be compiled from the personal references to himself and his movements in the "Notices to Correspondents." On one occasion he announced, that having charitably lent an old umbrella to a strange lady, in a shower of rain, she actually had the dishonesty not to return it, and during many successive weeks, he poured out lamentations on his loss, describing the aspect of the article, the attire of the non-returning borrower, and amusing the public with his griefs over the missing umbrella,

"'Like the lost Plëiad, seen no more below.'

Nor were his personal confidences limited to his newspaper. Thence they were transferred to a cheap literary weakling which he also published, and

he is omniscient; and if I were a believer in the transmigration of souls, I should be disposed to think that the spirit of the professor at Bruges, who challenged all mankind to dispute with him "*de omni scibili et de quolibet ente*," had reappeared in his person; though I hope that he would be less puzzled in solving the question of law proposed by Sir Thomas More to that celebrated scholar respecting a replevin.*

finally found a resting place in a monthly octavo composed of the picked matter of his newspaper and periodical. Meddling with Cobbett, in an attempt at political discussion, he incurred the anger of that nervous writer, who forthwith registered him as 'Bot Smith,' by which appellation, constantly repeated by him of the Gridiron, he eventually became so well known, in and out of Liverpool, that it was taken to be his true name, and letters were frequently so addressed to him. In a word, his case affords a striking example of the very small degree of intelligence sufficient to establish a local reputation as a 'triton of the minnows.' In a metropolis such a person would have speedily found his level, beneath the feet of real merit. When he died, about the year 1841, his townsmen gave him the honor of a public funeral, and I have heard that they placed his statue in their Mechanics' Institute! As the palette of Wilkie was let into the pedestal of his statue in the National Gallery, in London, a spinning-top and china-plate should have been introduced into the Smith statue at Liverpool. When the Pickwick Papers introduced the clever and striking full-length of Mr. Pott, Editor of the Eatanswill Gazette, many persons in Liverpool fancied that independent of the name being suggestive of the *soubriquet* bestowed on him by Cobbett, the original could have been no other than their own philosopher of the spinning-top. The appearance—'a tall, thin man, with a sandy-colored head inclined to baldness, and a face in which solemn importance was blended, with a look of unfathomable profundity;' the invariable attire—'a long brown surtout, with a black cloth waistcoat, and drab trousers;' the constant reference in conversation, to articles which he had written in his newspaper on local politics, the interest of which, trifling at any time, had long since passed away; the ruling idea, that throughout the country in general, and in London in particular, there was an intense excitement caused by whatever *he* wrote; the constant and uncourteous abuse of all opposing journalists; and, to crown all, the triumphant boast that his critic had written on Chinese Metaphysics by reading in the Encyclopedia under C for China, and under M for Metaphysics, and 'had combined his information,'—if all these coincidences were accidental, then, at hap-hazard, did Mr. Dickens unconsciously exhibit a person and an idiosyncracy remarkably like those of Mr. Bot Smith."—M.

* Mr. Foster is deeply versed in Irish antiquities. He alleges that he discovered in the county of Kerry, a very singular building, which is called Staigne Fort. General Vallancey thought that it was a Phœnician theatre. I am not aware what conjecture Mr. Foster formed respecting it; probably he takes it

I pass, by a natural transition, from the vast acquirements of Mr. Foster, to that office which, from its connection with learning, it would appear at first view that he was admirably qualified to fill. He was, for a considerable period, a Commissioner of Education, with an enormous salary; and thus, with the sums which he has received as a Commissioner of Inquiry into the Courts of Justice, and his vast emoluments as counsel to the Commissioners of Customs and Excise, Mr. Foster has poured an immense quantity of the public money into his coffers. But, however the love of learning, and its unquestionable possession, might appear to render Mr. Foster an eligible person to investigate the progress of education, yet his predilections, both political and religious, were so strong, that the Roman Catholics considered the appointment of a person so legally orthodox, to report upon the state of their schools, as an injustice.

In order to give some aspect of fairness to this proceeding, and to create a counterpoise to his prejudices, the Government united with Mr. Foster, a gentleman in every way well adapted to encounter him, the Remembrancer of the Court of Exchequer, Mr. Blake. I believe that it was not anticipated that that gentleman would have approved himself so stout and

for an old conventicle, employed by the Irish Christians before Popery was in use. Mr. Bland, the writer of an essay in the Transactions of the Royal Irish Academy, makes the following observations upon Mr. Foster's claims to the discovery of this building: "About nine years back, Mr. Leslie Foster visited this country, and passed Staigne by unnoticed; but being prevailed on by me, he was reluctantly induced to return and see it. He afterward published, in some periodical work or newspaper, an account of it; and being ignorant, I suppose, of what I have stated, respecting Mr. Pelham's correspondence with General Vallancey, he considered himself the first discoverer of this ancient structure."—Vol. XIV. p. 22. [General Vallancey, who was born in 1721, and wrote much upon the Antiquities of Ireland, was not "a son of the sod." In his youth, when quartered in Ireland as an officer of engineers, he closely studied the language, antiquities, and topography of the island. He closely and scientifically surveyed it (for which Government gave him one thousand pounds sterling), and besides contributing to various periodicals, wrote a Grammar and Dictionary of the Irish language, "Collectanea de Rebus Hibernicis," &c. Finally, he attained the rank of General. The object of most of his Irish works was to show, I believe, that Ireland was peopled by the Phœnicians When Vallancey died (in 1812), he was more than ninety years old.—M.]

uncompromising an asserter of the interests of his country and the honor of his religion. Mr. Foster had originally, from his previous habits of mystical research, and from his familiarity with the mysterious, great advantages over Mr. Blake, in examining the Catholic priesthood upon questions of dogmatic theology; but Mr. Blake, who has extraordinary powers of acquiring knowledge, and of fitting his mind to every intellectual occupation, resolved to make himself a match for this Aquinas of Protestantism, and threw himself off from the heights of the law into the deepest lore into which Mr. Foster had ever plunged. He rose from the dark bottoms of divinity as black and as begrimed with mysteries as his brother Commissioner; and, thus prepared, they set off upon their tour through the Catholic colleges of Ireland.

The object of Leslie Foster was to bring out whatever was unfavorable to the Irish priesthood; while Mr. Blake (himself a Roman Catholic) justly endeavored to rectify the misconstructions of his brother inquirer, and to present the doctrines of his religion, and the character of its ministers, in the least exceptionable form. When Mr. Foster got hold of a country priest, and put him to his shifts by some interrogatory touching the decrees of the earlier Councils, Mr. Blake would intervene, and rescue his fellow-Catholic from his embarrassments by suggesting a solution of the difficulty; and, without getting into it, helped him out of the deep quagmire of theology into which his examiner had led him. If Mr. Foster attempted to quote a passage from some moth-eaten folio with any deviation from a just fidelity of citation, Mr. Blake would immediately detect him. Mr. Foster would rely upon the disputable ethics of some ancient Catholic schoolman; and Mr. Blake would straight produce a Protestant divine who inculcated the same doctrine. Sometimes Mr. Blake, not contented with acting on the defensive, would invade the enemy's territory; and if an ex-priest were tendered by Mr. Foster for cross-examination, the Popish Remembrancer of the Exchequer exhibited all his acumen and dexterity in exposing the renegade. A person of the name of Dickson, who had been a Catholic priest, was produced in order to vilify Maynooth, where he had received

his eleemosynary education. Mr. Blake took hold of him, and, by a series of admirable interrogatories, eminently distinguished by astuteness and power of combination, laid this deserter of his altars bare, and tore off his apostate surplice.

But this was not the most remarkable instance in which Mr. Foster was foiled in his efforts to convert his office into the means of promoting his religious and political opinions. He had the misfortune to fall into the hands of the Provincial of the Jesuits in Ireland, the Rev. Mr. Kenny. A desire was, if I rightly recollect, expressed by Sir T. Lethbridge,* that a Jesuit should be produced at the bar of the House of Commons, in order that some sort of judgment should be formed of the peculiar nature of the ecclesiastical animal. Mr. Kenny is the most perfect specimen of this class of Catholic phenomena that could be produced. He wants, it must be confessed, some of the external attributes which should enter into the composition of the *beau ideal* of Jesuitism. He is by no means gracefully constructed; for there is a want of level about his shoulders, and his countenance, when uninvested with his spiritual expression, is rather of a forbidding and lurid cast. The eyes are of deep and fiery jet, and so disposed, that while one is bent in humility to the earth, the other is raised in inspiration to Heaven;—brows of thick and bushy black spread in straight lines above them. His rectilinear forehead is strongly indented with passion—satire sits upon his thin lips, and a livid hue is spread over a quadrangular face, the sunken cheeks of which exhibit the united effects of monastic abstinence and profound meditation. The countenance is Irish in its configuration; but Mr. Kenny was educated at Palermo, and a Sicilian suavity of manner is thrown, like a fine silken veil, over his strong Hibernian features. The beaming rays of his eye are seldom allowed to break out, for they are generally bent to the ground, and habitually concealed by lids, fringed with long dark lashes, which drop studiously over them.

Such is the outward Jesuit:—his talents and acquirements

* A county member of Parliament, bull-headed and intolerant, who, from the material of one of his garments, was usually called "Sir Thomas Leather-breeches."—M.

are of the first order, and in argumentative eloquence he has no superior in Ireland. Leslie Foster, in the spirit of theological chivalry, and having set up as a knight-errant against popery, happened to meet with this disciple of Loyala, and resolved to break a syllogism with him. Mr. Kenny was duly summoned to attend the Commissioners of Education, and upon this occasion the interposition of Mr. Blake was quite unnecessary. With a blended expression of affected humility and bitter mockery, the follower of Ignatius answered all Mr. Foster's questions, correcting the virulence of sarcasms by the softness of his mellifluous cadences, and by the religious clasping of his hands, which were raised in such a way as to touch the extremities of his chin, while he lamented, with a dolorous voice, the lamentable ignorance and delusion of the gentleman who could, in the nineteenth century, put him such preposterous interrogatories.

Leslie Foster was baffled by every response, and amid the jeers of his brother Commissioners, with Mr. Blake compassionating him on one side, and Mr. Glascot* nudging him at the other, while Frankland Lewis trod upon his toes, was at length persuaded to give up his desperate undertaking. Some of the questions put to the Jesuit were rather of an offensive character; and one of the Commissioners, when the examination had concluded, begged that he would make allowance for the imperious sense of duty which had induced Mr. Foster to commit an apparent violation of the canons of good breeding. "Holy Ignatius!" exclaimed the son of Loyola, holding his arms meekly upon his breast, "I am not offended—I never saw a more simple-minded gentleman in all my life!"

Mr. Foster, so far as the receipt of the public money is concerned, does not bear out the Jesuit's ejaculation. He has not proved himself exceedingly simple, by uniformly adopting that course of political conduct which was calculated to advance his personal interests and to better his fortune. I have already mentioned that he received large annual stipends from Govern-

* Toby Glascot was a sharp Dublin attorney, who sided with the then dominant Ascendency party. In 1829, he made a show of starting as a candidate, against O'Connell, after the Catholic Relief Bill was passed.—M.

ment as commissioner of education and of justice. His chief source of emolument, the fountain from which his Pactolus flows, is in the revenue of Ireland; and, I conceive that, in his instance, a very unqualified job has recently been effected, notwithstanding all the boasted cleansing of that Cloaca Maxima, the Customhouse. I put all levity aside, because, in my judgment, the expedient by which an annual sum of two thousand pounds sterling has been given to him calls for decided condemnation; and furthermore, I am of opinion, that he is bound to resign his seat in Parliament under the Irish statute passed in the thirty-third year of the late King.

Mr. Foster was appointed counsel to the Commissioners of Customs and Excise in April, 1818. He succeeded Sir Charles Ormsby, with a salary of one hundred pounds sterling a year, payable by the Board of Customs, with certain fees on each brief. The Irish Board of Customs was annihilated by the Consolidation Act, which abolished the employments held under their authority. The office held by Mr. Foster was abolished as never having been necessary or useful, and the Lords of the Treasury recognise that abolition. If Mr. Foster has lost his original appointment, and in lieu thereof the Crown retain him (is not every information in the name of the Crown, and is he not its counsel?) "to act as counsel to the Board, with a salary of £2000 a year," to be payable without any reference to the extent or even the existence of business, this is a new office under the Crown; and if it be, he must resign his seat, under the 33d of George III., cap. 41, in which it is enacted, by section 4, that, "if any member of the House of Commons shall accept any office of profit from the Crown, during such time as he shall continue a member, his seat shall thereupon become vacant, and a writ shall issue for a new election." The 41st of George III. virtually re-enacts these clauses. In that event, Harry Mills and the Doctor will again parade the streets of Dundalk; Leslie Foster will again wipe the cold exsudation from his forehead with an orange kerchief, but he will not again be carried in triumph through the woods of Cullen, amidst the applauses of the yeomanry, the hurras of the parson, the sexton, and the parish clerk, and the acclamations of the police.

THE CLARE ELECTION, IN 1828.

The Catholics had passed a resolution, at one of their aggregate meetings, to oppose the election of every candidate who should not pledge himself against the Duke of Wellington's Administration. This measure lay for some time a mere dead letter in the registry of the Association, and was gradually passing into oblivion, when an incident occurred which gave it an importance far greater than had originally belonged to it. Lord John Russell, flushed with the victory which had been achieved in the repeal of the Test and Corporation Acts,* and grateful to the Duke of Wellington for the part which he had taken, wrote a letter to Mr. O'Connell, in which he suggested that the conduct of his Grace had been so fair and manly toward the Dissenters as to entitle him to their gratitude; and that they would consider the reversal of the resolution which had been passed against his government as evidence of the interest which was felt in Ireland, not only in the great question peculiarly applicable to that country, but in the assertion of religious freedom through the empire. The authority of Lord John Russell is considerable, and Mr. O'Connell, under the influence of his advice, proposed that the anti-Wellington res-

* In February, 1828, Lord John Russell introduced a bill for the abolition of the Test and Corporation Acts (which subjected Dissenters to civil disabilities on account of their religious faith), and it passed into a law that session, chiefly in consequence of the feeble opposition offered to it by Peel, then Ministerial leader in the Commons. In truth, Peel was just then in a transition state, having seen that the old Tory system of intolerance could not continue, and scarcely knowing how to change it. Observant politicians judged, when relief was afforded to the Dissenters, that justice to the Catholics must follow it did, in 1829.—M.

olution should be withdrawn. This motion was violently opposed, and Mr. O'Connell perceived that the antipathy to the Great Captain was more deeply rooted than he had originally imagined. After a long and tempestuous debate, he suggested an amendment, in which the principle of his original motion was given up, and the Catholics remained pledged to their hostility to the Duke of Wellington's Administration. Mr. O'Connell has reason to rejoice at his failure in carrying this proposition; for, if he had succeeded, no ground for opposing the return of Mr. Vesey Fitzgerald would have existed.

The promotion of that gentleman to a seat in the Cabinet created a vacancy in the representation of the county of Clare; and an opportunity was afforded to the Roman Catholic body of proving that the resolution which had been passed against the Duke of Wellington's Government was not an idle vaunt, but that it could be carried in a striking instance into effect. It was determined that all the power of the people should be put forth.* The Association looked round for a candidate, and,

* Clare Election, the unexpected result of which certainly compelled Wellington and Peel to grant Catholic Emancipation in 1829, took place under the following circumstances. The Catholic Association had resolved to oppose the election or re-election of any member of a Government hostile to the Catholic claims. On June 13, 1828 (the Duke of Wellington being Premier), Mr. Vesey Fitzgerald, who had always voted for the Catholics, was gazetted President of the Board of Trade, the holder of which office is always a Cabinet Minister. On the 16th of June, he was also appointed Treasurer to the Navy. It is a constitutional rule, in England, that no office, having emolument attached, can be conferred by the Crown on a member of the House of Commons, without his thereby vacating his seat: which explains how, on a change of Ministry, Parliamentary business is usually suspended until the new officials have gone back to their different constituencies, for re-election or rejection. Mr. Fitzgerald, who was M. P. for Clare county, therefore, had to present himself to the electors; and did so, without any anticipation of rejection. Mr. O'Connell, on becoming a candidate, pledged his professional reputation (than which none was higher) on his assertion that, if elected, he could take his seat in the House of Commons without taking the then usual oath that the Catholic religion was idolatrous. Mr. Charles Butler, the eminent Catholic barrister of London, well known as an erudite constitutional lawyer, unexpectedly backed this assertion by an elaborate argument which went to show that Mr. O'Connell's view was right. The election commenced on June 30, 1828, and proceeded as graphically related by Mr. Sheil. The entire constituency of the

without having previously consulted him, re-elected Major M'Namara, a Protestant in religion, a Catholic in politics, and a Milesian in descent. Although he is equally well known in Dublin and in Clare, his provincial is distinct from his metropolitan reputation. In Dublin he may be seen at half-past four o'clock, strolling, with a lounge of easy importance, toward Kildare-street Club-house, and dressed in exact imitation of the King [George IV.]; to whose royal whiskers the Major's are considered to bear a profusely-powdered and highly-frizzled affinity. Not contented with this single point of resemblance, he has, by the entertainment of "a score or two of tailors," and the profound study of the regal fashions, achieved a complete look of Majesty; and, by the turn of his coat, the dilation of his chest, and an aspect of egregious dignity, succeeded in producing in his person a very fine effigy of his sovereign.

With respect to his moral qualities, he belongs to the good old school of Irish gentlemen; and, from the facility of his manners, and his graceful mode of arbitrating a difference, has acquired a very eminent character as "a friend." No man is better versed in the strategies of Irish honor. He chooses the

county of Clare was eight thousand, of whom two hundred were twenty and fifty pound freeholders and rent-chargers, while the rest were forty-shilling freeholders — the class who had beaten the Beresfords, at Waterford election, in 1826, and would have been disfranchised, by one of the "wings," had the Catholic Relief Bill been passed the year before. The polling terminated on Saturday, July 5, 1828. and the result showed — for O'Connell, 2,057; for Fitzgerald, 982: majority for O'Connell, 1,075. When the state of the poll was announced, the friends of Mr. Fitzgerald presented a protest to the High-Sheriff, who was the returning-officer, claiming that Mr. F. be declared duly elected, because Mr. O'Connell was a Catholic, and had publicly declared that he would not take the usual oaths to sit in Parliament. The case was fully argued before the Sheriff and his assessor (a lawyer of eminence), and the result was that Mr. O'Connell must be returned as duly elected by a majority of votes; that the law did not disqualify a Catholic from being so elected; and that whether O'Connell would or would not refuse to take the oaths, to which he objected, could not be ascertained until his appearance in the House of Commons. So, he was declared member, and his first frank was on a letter communicating the intelligence to his wife. He exercised the privilege of franking (abolished by the penny-postage act in 1840) from the day of his election until the time after the Catholic Relief Bill was passed, when he was not allowed to take his seat without taking the *old* oaths, which he refused to do. — M.

ground with an O'Trigger eye, and by a glance over "the fifteen acres," is able to select, with an instantaneous accuracy, the finest position for the settlement of a quarrel.* In his calculation of distances, he displays a peculiarly scientific genius; and, whether it be expedient to bring down your antagonist at a long shot, or at a more embarrassed interval of feet, you may be sure of the Major's loading to a grain. In the county of Clare he does not merely enact the part of a sovereign. He is the chief of the clan of the M'Namaras, and after rehearsing the royal character at Kildare street, the moment he arrives on the coast of Clare, and visits the oyster-beds at Poldoody,† becomes "every inch a king." He possesses great influence with the people, which is founded upon far better grounds than their hereditary reverence for the Milesian nobility of Ireland. He is a most excellent magistrate. If a gentleman should endeavor to crush a poor peasant, Major M'Namara is ready to protect him, not only with the powers of his office, but at the risk of his life. This creditable solicitude for the rights and the interests of the lower orders had rendered him most deservedly popular; and, in naming him as their representative, the Association could not have made a more judicious choice.‡ He was publicly called upon to stand.

Some days elapsed, and no answer was returned by the Major. The public mind was thrown into suspense, and various conjectures went abroad as to the cause of this singular omission. Some alleged that he was gone to an island off the coast of Clare, where the proceedings of the Association had not reached him; while others suggested that he was only waiting until the clergy of the county should declare themselves more

* In Phœnix Park, the suburban residence of the Lord-Lieutenant, a particular part, called "The Fifteen Acres," was noted as the place where the Dublin duellists generally had their little "affairs of honor." Duelling is nearly extinct in Ireland now. — M.

† The Poldoody and Carlingford oysters were as popular in Ireland as the Colchester and Milton in London, or the Shrewsbury and East River in New York. — M.

‡ Major M'Namara, who was O'Connell's second in the duel with D'Esterre, in 1815, was returned to Parliament, by his Clare neighbors, after Catholic Emancipation was obtained, and usually voted with O'Connell. He died much respected by all parties, but was a very commonplace man. — M.

unequivocally favorable to him. The latter, it was said, had evinced much apathy; and it was rumored that Dean O'Shaughnessy, who is a distant relative of Mr. Fitzgerald, had intimated a determination not to support any anti-ministerial candidate. The Major's silence, and the doubts which were entertained with regard to the allegiance of the priests, created a sort of panic at the Association. A meeting was called, and various opinions were delivered as to the propriety of engaging in a contest, the issue of which was considered exceedingly doubtful, and in which failure would be attended with such disastrous consequences. Mr. O'Connell himself did not appear exceedingly sanguine; and Mr. Purcell O'Gorman, a native of Clare, and who had a minute knowledge of the feelings of the people, expressed apprehensions.

There were, however, two gentlemen (Mr. O'Gorman Mahon and Mr. Steele), who strongly insisted that the people might be roused, and that the priests were not as lukewarm as was imagined. Upon the zeal of Dean O'Shaughnessy, however, a good deal of question was thrown. By a singular coincidence, just as his name was uttered, a gentleman entered, who, but for the peculiar locality, might have been readily mistaken for a clergyman of the Established Church. Between the priesthood of the two religions there are, in aspect and demeanor, as well as in creed and discipline, several points of affinity, and the abstract sacerdotal character is readily perceptible in both. The parson, however, in his attitude and attire, presents the evidences of superiority, and carries the mannerism of ascendency upon him. A broad-brimmed hat, composed of the smoothest and blackest material, and drawn by two silken threads into a fire-shovel configuration, a felicitous adaptation of his jerkin to the symmetries of his chest and shoulder, stockings of glossy silk, which displayed the happy proportions of a finely-swelling leg, a ruddy cheek, and a bright, authoritative eye, suggested, at first view, that the gentleman who had entered the room while the merits of Dean O'Shaughnessy were under discussion, must be a minister of the prosperous Christianity of the Established Church. It was, however, no other than Dean O'Shaughnessy himself.

He was received with a burst of applause, which indicated that, whatever surmises with respect to his fidelity had previously gone out, his appearauce before that tribunal (for it is one) was considered by the assembly as a proof of his devotion to the public interest. The Dean, however, made a very scholastic sort of oration, the gist of which it was by no means easy to arrive at. He denied that he had enlisted himself under Mr. Fitzgerald's banners, but at the same time studiously avoided giving any sort of pledge. He did not state distinctly what his opinion was with respect to the co-operation of the priests with the Association; and, when he was pressed, begged to be allowed to withhold his sentiments on the subject. The Association were not, however, dismayed; and it having been conjectured that the chief reason for Major M'Namara having omitted to return an answer was connected with pecuniary considerations, it was decided that so large a sum as five thousand pounds of the Catholic rent should be allocated to the expenses of his election.

Mr. O'Gorman Mahon and Mr. Steele were directed to proceed at once to Clare, in order that they might have a personal interview with him; and they immediately set off. After an absence of two days, Mr. O'Gorman Mahon returned, having left his colleague behind in order to arouse the people; and he at length conveyed certain intelligence with respect to the Major's determination. The obligations under which his family lay to Mr. Fitzgerald were such, that he was bound in honor not to oppose him. This information produced a feeling of deep disappointment among the Catholic body, while the Protestant party exulted in his apparent desertion of the cause, and boasted that no gentleman of the county would stoop so low as to accept of the patronage of the Association. In this emergency, and when it was universally regarded as an utterly hopeless attempt to oppose the Cabinet Minister, the public were astonished by an address from Mr. O'Connell to the freeholders of Clare, in which he offered himself as a candidate, and solicited their support.

Nothing but his subsequent success could exceed the sensation which was produced by this address, and all eyes were

turned toward the field in which so remarkable a contest was to be waged. The two candidates entered the lists with signal advantages upon both sides. Mr. O'Connell had an unparalleled popularity, which the services of thirty years had secured to him. Upon the other hand, Mr. Vesey Fitzgerald presented a combination of favorable circumstances, which rendered the issue exceedingly difficult to calculate.* His father had held the office of Prime Sergeant at the Irish Bar; and, although indebted to the Government for his promotion, had the virtuous intrepidity to vote against the Union. This example of independence had rendered him a great favorite with the people. From the moment that his son had obtained access to power, he had employed his extensive influence in doing acts of kindness to the gentry of the County of Clare. He had inundated it with the overflowings of ministerial bounty. The eldest sons of the poorer gentlemen, and the younger branches of the aristocracy, had been provided for through his means; and in the army, the navy, the treasury, the Four Courts, and the Customhouse, the proofs of his political friendship were everywhere to be found.

* William Vesey Fitzgerald was the son of James Fitzgerald, once Prime Sergeant of Ireland, and Catherine Vesey, a rich co-heiress. James Fitzgerald who had held several high offices in Ireland, opposed the contemplated Legislative Union with Great Britain, and threw up his rank of Prime Sergeant, which placed him at the head of the legal profession in Ireland, whence his transition to the judicial ermine was certain. His giving up place, for the sake of his country, made him extremely popular. His eldest son entered Parliament, and successively became Privy Councillor, Chancellor of the Irish Exchequer, Paymaster of the Forces, and President of the Board of Trade. He invariably supported Catholic Emancipation, and not the less warmly because the Catholic leader defeated him at Clare. His mother was created Baroness Fitzgerald and Vesci, in 1827. On her death, in 1832, Vesey Fitzgerald succeeded to this title, as her eldest son. In January, 1835, his father went to his long and last resting-place, aged 93. In the same year, his son received an English, in addition to his Irish barony, and became a Peer of the United Kingdom. When he died in 1843 (as Lord Fitzgerald and Vesci) he was Lord Lieutenant of Clare. He was, in all respects, an accomplished gentleman, an elegant if not eloquent speaker, a tried friend of the Catholics, aad an excellent man of business. At the Clare Election, in 1828, his good temper, true courtesy, and undoubted amiability, won him "heaps of friends" even among the very men who voted against him. Mr. Sheil, in writing of him, involuntarily shows how greatly, while he opposed, he estimated him.—M.

Independently of any act of his which could be referred to his personal interest, and his anxiety to keep up his influence in the county, Mr. Fitzgerald, who is a man of very amiable disposition, had conferred many services upon his Clare acquaintances. Nor was it to Protestants that these manifestations of favor were confined. He had laid not only the Catholic proprietors, but the Catholic priesthood, under obligation. The Bishop of the diocese himself (a respectable old gentleman who drives about in a gig with a mitre upon it) is supposed not to have escaped from his bounties; and it is more than insinuated that some droppings of ministerial manna had fallen upon him. The consequence of this systematized and uniform plan of benefaction is obvious. The sense of obligation was heightened by the manners of this extensive distributer of the favors of the Crown, and converted the ordinary feeling of thankfulness into one of personal regard. To this array of very favorable circumstances, Mr. Fitzgerald brought the additional influence which arose from his recent promotion to the Cabinet; which, to those who had former benefits to return, afforded an opportunity for the exercise of that kind of prospective gratitude which has been described to consist of a lively sense of services to come. These were the comparative advantages with which the ministerial and the popular candidate engaged in this celebrated contest; and Ireland stood by to witness the encounter.

Mr. O'Connell did not immediately set off from Dublin; but, before his departure, several gentlemen were despatched from the Association in order to excite the minds of the people, and to prepare the way for him. The most active and useful of the persons who were employed upon this occasion were the two gentlemen to whom I have already referred, Mr. Steele and Mr. O'Gorman. They are both deserving of special commendation. The former is a Protestant of a respectable fortune in the County of Clare,* and who has all his life beer

* The late "Tom Steele," as he was familiarly called, is supposed not to have had an enemy in the world. He was born November 3, 1788, and was a member of a Protestant family in Clare, where he succeeded to considerable landed property. He was a graduate of the Universities of Dublin and Cam-

devoted to the assertion of liberal principles. In Trinity College, he was among the foremost of the advocates of emancipation, and at that early period became the intimate associate of many Roman Catholic gentlemen who have since distin-

bridge and distinguished himself at both; a member of the London Institution of Civil Engineers (admitted for his improvements in diving machinery and sub-marine illumination); one of the defenders of Cadiz, in 1823, under the command of Sir Robert Wilson; seconded O'Connell's nomination at Clare election in 1828; was an original member of Birmingham Political Union from its formation in 1830, and thus an instrument of the Grey Ministry in carrying the Reform Bill; threw himself, with intense earnestness, into the Emancipation anti-tithe, and Repeal movements; was O'Connell's Head Pacificato. and Repeal Warden-in-Chief for all Ireland; took part in the Monster Meetings of 1843; was tried and convicted, with O'Connell and the other repealers, in 1844; suffered the like imprisonment with them, which was subsequently declared by the House of Lords to be illegal; and died in June, 1848, at Peele's Coffee-House, in London, in such extreme want, that he would have starved but for the humanity of the landlord, who kindly allowed him to want for nothing Bitter necessity had broken his heart, and driven him to despair. His las moments were soothed by the sympathy, bounty, and personal kindness of Lor. Brougham and Colonel Perceval (the Orangeman) with both of whom, as public men, he had waged political strife. How his fortune went it is hard to say. His personal expenditure was small. He disbursed a good deal in scientific investigations, and also in attempting to improve the navigation of the Shannon at his own expense—his plan has since been successfully carried out by a Parliamentary grant. In the State Trials of 1844, when he was very restless and talkative, interrupting the proceedings, Mr. Smith, then Attorney-General, turned round and said, "Steele, if you do not keep quiet, I shall certainly strike your name out of the indictment." This threat of depriving him of the honors of political persecution and martyrdom, immediately silenced Tom Steele! He was a tall, muscular, well-built man, who arrayed himself in a military blue frock, with the Repeal button. His face was full of amiability and honesty. He spoke more earnestly than eloquently. He was one of the most sincere and least selfish of public men. He had not room in his heart for one ungenerous or unmanly feeling. He loved O'Connell with a love almost passing that of woman. Ireland ought not to have allowed Tom Steele to die, almost a pauper, in a foreign land. His departure from life should have been in the country he would have died to serve, amid "troops of friends," and not to be

"By strangers honored, and by strangers mourned."

I remember when his death (and its manner) was communicated to the Londoners, how men whom I had always considered apathetic, met me in the street, pressed my hand, which had often been grasped in his, and said, in broken accents, and with moistened eyes, "Poor Tom Steele." The chivalry of his character and conduct had smitten the rock, and the fountain of feeling gushed forth, when his gallant life had passed away.—M.

guished themselves in the proceedings of their body. Being a man of independent circumstances, Mr. Steele did not devote himself to any profession, and having a zealous and active mind, he looked round for occupation. The Spanish war afforded him a field for the display of that generous enthusiasm by which he is distinguished. He joined the patriot army, and fought with a desperate valor upon the batteries of the Trocadero. It was only when Cadiz had surrendered, and the cause of Spain became utterly hopeless, that Mr. Steele relinquished this noble undertaking. He returned to England, surrounded by exiles from the unfortunate country for the liberation of which he had repeatedly exposed his life. It was impossible for a man of so much energy of character to remain in torpor; and on his arrival in Ireland, faithful to the principles by which he had been uniformly swayed, he joined the Catholic Association. There he delivered several powerful and enthusiastic declamations in favor of religious liberty. Such a man, however, was fitted for action as well as for harangue; and the moment the contest in Clare began, he threw himself into the combat with the same alacrity with which he had rushed upon the French bayonets at Cadiz. He was serviceable in various ways. He opened the political campaign by intimating his readiness to fight any landlord who should conceive himself to be aggrieved by an interference with his tenants. This was a very impressive exordium. He then proceeded to canvass for votes; and, assisted by his intimate friend Mr. O'Gorman Mahon, travelled through the country, and, by both day and night, addressed the people from the altars round which they were assembled to hear him. It is no exaggeration to say, that to him, and to his intrepid and indefatigable confederate, the success of Mr. O'Connell is greatly to be ascribed.

Mr. O'Gorman Mahon is introduced into this article as one among many figures. He would deserve to stand apart in a portrait.* Nature has been peculiarly favorable to him. He

* James O'Gorman Mahon subsequently entered Parliament, and made some good speeches on popular subjects. He was declared unseated for want of property qualification (three hundred pounds sterling for a borough, and five

has a very striking physiognomy, of the Corsair character, which the Protestant Gulnares, and the Catholic Medoras, find it equally difficult to resist. His figure is tall, and he is peculiarly free and *degagé* in all his attitudes and movements. In any other his attire would appear singularly fantastical. His manners are exceedingly frank and natural, and have a character of kindliness as well as of self-reliance imprinted upon them. He is wholly free from embarrassment and *mauvaise honte*, and carries a well-founded consciousness of his personal merit; which is, however, so well united with urbanity, that it is not in the slightest degree offensive. His talents as a popular speaker are considerable. He derives from external qualifications an influence over the multitude, which men of diminutive stature are somewhat slow of obtaining. A little man is at first view regarded by the great body of spectators with disrelish; and it is only by force of phrase, and by the charm of speech, that he can at length succeed in inducing his auditors to overlook any infelicity of configuration; but when O'Gorman Mahon throws himself out before the people, and, touching his whiskers with one hand, brandishes the other, an enthusiasm is at once produced, to which the fair portion of the spectators lend their tender contribution. Such a man was exactly adapted to the excitement of the people of Clare; and it must be admitted, that by his indefatigable exertions, his unremitting activity, and his devoted zeal, he most materially assisted in the election of Mr. O'Connell.

While Mr. Steele and Mr. O'Gorman Mahon harangued the people in one district, Mr. Lawless, who was also despatched upon a similar mission, applied his faculties of excitation in another. This gentleman has obtained deserved celebrity by his being almost the only individual among the Irish deputies who remonstrated against the sacrifice of the rights of the forty-shilling freeholders. Ever since that period he has been eminently popular; and although he may occasionally, by

hundred pounds a year for a county member) and abandoned public life for a considerable time. He again entered Parliament, in 1847, but was not re-elected in 1852 He was a remarkably handsome man, in 1828; and dressed in a showy manner.—M.

ebullitions of ill-regulated but generous enthusiasm, create a little merriment among those whose minds are not as susceptible of patriotic and disinterested emotion as his own, yet the conviction which is entertained of his honesty of purpose, confers upon him a considerable influence. "Honest Jack Lawless" is the designation by which he has been known since the "wings" were in discussion.* He has many distinguished

* To have been called "*Honest* Jack Lawless," and to have merited the name, must be considered a great distinction. John Lawless originally studied for the Irish bar, but his friendship for, and presumed connection with Robert Emmett, in 1803, caused Lord Clare to reject his application for admission. Lawless, who was full of energy, bore this with great philosophy, and, relinquishing law and precedents for malt and hops, next became partner in a brewery at Dublin. After this, he yielded to his political and literary tastes, and became editor of a newspaper in Newry, where he obtained so high a reputation for the touch-and-go talent which makes alike a light comedian and a "gentleman of the press," that he was invited to Belfast, where he established and conducted an excellent journal called "The Irishman." When the Catholic Association was founded, John Lawless became an early and eager member. In 1825, he opposed O'Connell on "The Wings." O'Connell's chief notice (though the opposition annoyed him) was a complaint of "the under-growl of Jack Lawless." After this, they soon were reconciled—a hollow truce, for, in 1832, when Lawless was defeated in a contest for the Parliamentary representation of Meath County, he was charged by O'Connell with having, "for a con-si-de-ra-ti-on" (as old Trapbois says), sold his chances of being elected. Judging from every one of Lawless's political and personal antecedents, this charge was unfounded. Mr. Lawless died in August, 1837.—It may be necessary to state that "The Wings" (to which Mr. Lawless and several other patriotic Irishmen were so much opposed, as then to endanger the popularity of Mr. O'Connell, who certainly did not resist them), were drawbacks with which Catholic Emancipation was to have been clogged, if the Bill brought in, by Sir Francis Burdett, in 1825, had passed into a law. They were embodied in a separate Bill, which passed through several stages, but was necessarily abandoned, when, mainly influenced by the Duke of York's "So help me God" speech, the House of Lords rejected Burdett's bill, and thus deferred Emancipation until 1829. By one "wing" the forty shilling freehold qualification, to vote at Parliamentary elections, would have been abolished, and no one allowed to vote, in counties, on less than a freehold of ten pounds sterling annual value. By the other "wing," the entire Catholic clergy of Ireland, then estimated at two thousand, who were paid by the *people*, were to be paid by the Government, at a cost of two hundred and fifty thousand pounds sterling a year, out of the public money. The matter for wonder is that any Catholic, who complained of being called upon to pay, in tithes, for the maintenance of clergymen of another faith, could not have perceived the anomaly of allowing his

qualifications as a public speaker. His voice is deep, round, and mellow, and is diversified by a great variety of rich and harmonious intonation. His action is exceedingly graceful and appropriate: he has a good figure, which, by a purposed swell and dilation of the shoulders, and an elaborate erectness, he turns to good account; and by dint of an easy fluency of good diction, a solemn visage, an aquiline nose of no vulgar dimension, eyes glaring underneath a shaggy brow with a certain fierceness of emotion, a quizzing-glass, which is gracefully dangled in any pauses of thought or suspensions of utterance, and, above all, by a certain attitude of dignity, which he assumes in the crisis of eloquence, accompanied with a flinging back of his coat, which sets his periods beautifully off, "Honest Jack" has become one of the most popular and efficient speakers at the Association.

Shortly after Mr. Lawless had been despatched, a great reinforcement to the oratorical corps was sent down in the person of the celebrated Father Maguire, or, as he is habitually designated, "Father Tom." This gentleman had been for some time a parish priest in the county of Leitrim. He lived in a remote parish, where his talents were unappreciated. Some accident brought Mr. Pope, the itinerant controversialist, into contact with him. A challenge to defend the doctrines of his religion was tendered by the wandering disputant to the priest, and the latter at once accepted it. Maguire had given no previous proof of his abilities, and the Catholic body regretted the encounter. The parties met in this strange duel of theology. The interest created by their encounter was prodigious. Not only the room where their debates were carried on was crowded, but the whole of Sackville street, where it was situated, was thronged with population. Pope brought to the combat great fluency, and a powerful declamation. Maguire was a master of scholastic logic. After several days of controversy, Pope was overthrown, and "Father Tom,"

own clergy to be paid by taxes, levied on all other creeds. For the promised two hundred and fifty thousand pounds was a small sum compared with the millions wrung out of the Catholics by the Protestant hierarchy and inferior clergy.—M.

as the champion of orthodoxy, became the object of popular adoration. A base conspiracy was got up to destroy his moral character, and by its failure raised him in the affection of the multitude. He had been under great obligations to Mr. O'Connell, for his exertions upon his trial; and from a just sentiment of gratitude, he tendered his services in Clare. His name alone was of great value; and when his coming was announced, the people everywhere rushed forward to hail the great vindicator of the national religion.* He threw fresh ingredients into the caldron, and contributed to impart to the contest that strong religious character which it is not the fault of the Association, but of the Government, that every contest of the kind must assume.

* The Reverend Thomas Maguire was an Irish Catholic priest, a dialectician of great power and ingenuity, who, shortly before the election-struggle in Clare, had greatly distinguished himself, in a public and prolonged discussion with the Reverend Mr. Pope, a Protestant clergyman. Mr. Maguire, who accepted his challenge, was scarcely known even among his own persuasion, and many apprehended defeat, not from any weakness of his cause, but from a belief that its champion, unknown and untried, was unequally opposed to a practised polemic. The discussion, which took place in Dublin, excited much interest in the religious world. Each controversialist had to defend three articles of his own and to assail as many of his adversary's faith. To the surprise of all, Mr. Maguire proved equal, at least, to his more practised opponent. As usual, both parties claimed the honor of the victory—at all events, Mr. Maguire was admitted to have most distinguished himself. It is pleasant to add, that a warm and mutual regard between Mr. Maguire and Mr. Pope sprang out of this controversy. The Orange party in Ireland, shortly after this discussion, did not discourage, if they did not assist, a conspiracy which was got up to destroy Mr. Maguire's private and clerical character. An action at law was brought by a person named M'Gerratty, to recover damages for the seduction of his daughter Ann, by the Reverend Thomas Maguire. The young woman was examined on the trial, and swore, among other things, that Mr. Maguire had seduced her under a promise of marriage, to be fulfilled on his becoming a Protestant clergyman! The jury, coupling this improbability with serious discrepancies in her evidence as to the subject-matter of the suit, with her demeanor in the witness-box, and with strong testimony of her previous bad character, acquitted Mr. Maguire, without hesitation. For the remaining twenty years of his life, he was undisturbed by slander. He was a popular preacher, and was often called upon to plead in aid of the sacred cause of charity. He died suddenly, and it was suspected that he was poisoned by two of his own servants, who desired to appropriate t themselves whatever portable property he was possessed of.—M.

"Father Tom" was employed upon a remarkable exploit. Mr. Augustine Butler, the lineal descendant of the famous Sir Toby Butler, is a proprietor in Clare: he is a liberal Protestant, but supported Mr. Vesey Fitzgerald. "Father Tom" proceeded from the town of Ennis to the county chapel where Mr. Butler's freeholders were assembled, in order to address them; and Mr. Butler, with an intrepidity which did him credit, went forward to meet him. It was a singular encounter in the house of God. The Protestant landlord called upon his freeholders not to desert him. "Father Tom" rose to address them in behalf of Mr. O'Connell. He is not greatly gifted with a command of decorated phraseology; but he is master of vigorous language, and has a power of strong and simple reasoning, which is equally intelligible to all classes. He employs the syllogism of the schools as his chief weapon in argument; but uses it with such dexterity, that his auditors of the humblest class can follow him without being aware of the technical expedient of logic by which he masters the understanding. His manner is peculiar: it is not flowery, nor declamatory, but is short, somewhat abrupt, and, to use the French phrase, is *tranchant*. His countenance is adapted to his mind, and is expressive of the reasoning and controversial faculties. A quick blue eye, a nose slightly turned up, and formed for the tossing off of an argument, a strong brow, a complexion of mountain ruddiness, and thick lips, which are better formed for rude disdain than for polished sarcasm, are his characteristics. He assailed Mr. Butler with all his powers, and overthrew him. The topic to which he addressed himself, was one which was not only calculated to move the tenants of Mr. Butler, but to stir Mr. Butler himself. He appealed to the memory of his celebrated Catholic ancestor, of which Mr. Butler is justly proud. He stated, that what Sir Toby Butler had been, Mr. O'Connell was; and he abjured him not to stand up in opposition to an individual, whom he was bound to sustain by a sort of hereditary obligation. His appeal carried the freeholders away, and one hundred and fifty votes were secured to Mr. O'Connell. Mr. Maguire was seconded in this achievement by Mr. Dominick Ronayne, a barrister of the

Association, of considerable talents, and who not only speaks the English language with eloquence, but is master of the Irish tongue;* and, throwing an educated mind into the powerful idiom of the country, wrought with uncommon power upon the passions of the people.

Mr. Sheil was employed as counsel for Mr. O'Connell before the assessor; but proceeded to the county of Clare the day before the election commenced. On his arrival, he understood that an exertion was required in the parish of Corofin, which is situate upon the estate of Sir Edward O'Brien, who had given all his interest to Mr. Vesey Fitzgerald. Sir Edward is the most opulent resident landlord in the country.† In the parish of Corofin he had no less than three hundred votes; and it was supposed that his freeholders would go with him. Mr. Sheil determined to assail him in the citadel of his strength, and proceeded, upon the Sunday before the poll commenced, to the chapel of Corofin. Sir Edward O'Brien having learned that this agitator intended this trespass upon his authority, resolved to anticipate him, and set off in his splendid equipage, drawn by four horses, to the mountains in which Corofin is situated. The whole population came down from their residences in the rocks, which are in the vicinity of the town of

* The Irish are fond of a joke, and O'Connell often indulged them. In 1843, when the Monster Meetings were proceeding, the Peel Ministry sent short-hand writers to report the speeches of O'Connell and his co-agitators. On one occasion, seeing "the gentlemen of the press" assembled on the platform, ready to record every word he uttered, O'Connell called out to know whether they had every facility and accommodation necessary. They answered, truly, that everything had been done for their ease and comfort. It was in one of the Southern counties, where the Irish language is spoken as often as the English, and O'Connell, glancing waggishly around, commenced a speech *in Irish*, to the surprise and dismay of the "Saxon" reporters. The multitude instantly entered into the humor of the joke, and shouts of laughter mingled with the usual applause. It was a great triumph thus to have baffled the Government through its reporters, and was one of the amusing episodes of a period of great personal and political excitement.—M.

† Sir E. O'Brien, of Drumoland, County of Clare, was born in 1773 and died in 1837. He was succeeded in his title by his eldest son, now Sir Lucius O'Brien. His second son, William Smith O'Brien, late M. P. for Ennis, is now (January, 1854) in New South Wales, as a transport for life, under his conviction, on a charge of high treason, in 1848.—M.

Ennis, and advanced in large bands, waving green boughs, and preceded by fifes and pipers, upon the road. Their landlord was met by them on his way. They passed him by in silence, while they hailed the demagogue with shouts, and attended him in triumph to the chapel. Sir Edward O'Brien lost his resolution at this spectacle; and feeling that he could have no influence in such a state of excitation, instead of going to the house of Catholic worship, proceeded to the church of Corofin. He left his carriage exactly opposite the doors of the chapel, which is immediately contiguous, and thus reminded the people of his Protestantism, by a circumstance of which, of course, advantage was instantaneously taken.

Mr. Sheil arrived with a vast multitude of attendants at the chapel, which was crowded with people, who had flocked from all quarters; there a singular scene took place. Father Murphy, the parish priest, came to the entrance of the chapel dressed in his surplice. As he came forth, the multitude fell back at his command, and arranged themselves on either side, so as to form a lane for the reception of the agitator. Deep silence was imposed upon the people by the priest, who had a voice like subterraneous thunder, and appeared to hold them in absolute dominion. When Mr. Sheil had reached the threshold of the chapel, Father Murphy stretched forth his hand, and welcomed him to the performance of the good work.

The figure and attitude of the priest were remarkable. My English reader draws his ordinary notion of a Catholic clergyman from the caricatures which are contained in novels, or represented in farces upon the stage; but the Irish priest, who has lately become a politician and a scholar, has not a touch of foigardism about him; and an artist would have found in Father Murphy rather a study for the enthusiastic Macbriar, who is so powerfully delineated in "Old Mortality," than a realization of the familiar notions of a clergyman of the Church of Rome. As he stood surrounded by a dense multitude, whom he had hushed into profound silence, he presented a most imposing object. His form is tall, slender, and emaciated; but was enveloped in his long robes, that gave him a peculiarly sacerdotal aspect. The hand which he stretched forth was

ample, but worn to a skinny meagritude and pallor. His face was long, sunken, and cadaverous, but was illuminated by eyes blazing with all the fire of genius, the enthusiasm of religion, and the devotedness of patriotism. His lank black hair fell down his temples, and eyebrows of the same color stretched in thick straight lines along a lofty forehead, and threw over the whole countenance a deep shadow. The sun was shining with brilliancy, and rendered his figure, attired as it was in white garments, more conspicuous. The scenery about him was in harmony; it was wild and desolate, and crags, with scarce a blade of verdure shooting through their crevices, rose everywhere around him. The interior of the chapel, at the entrance of which he stood, was visible. It was a large pile of building, consisting of bare walls, rudely thrown up, with a floor of clay, and at the extremity stood an altar made of a few boards clumsily put together.

It was on the threshold of this mountain-temple that the envoy of the Association was hailed with a solemn greeting. The priest proceeded to the altar, and commanded the people to abstain, during the divine ceremony, from all political thinking or occupation. He recited the mass with great fervency and simplicity of manner, and with all the evidences of unaffected piety. However familiar, from daily repetition, with the ritual, he pronounced it with a just emphasis, and went through the various forms which are incidental to it with singular propriety and grace. The people were deeply attentive, and it was observable that most of them could read; for they had prayer-books in their hands, which they read with a quiet devotion. Mass being finished, Father Murphy threw his vestments off, and, without laying down the priest, assumed the politician. He addressed the people in Irish, and called upon them to vote for O'Connell in the name of their country and of their religion.

It was a most extraordinary and powerful display of the externals of eloquence; and, as far as a person unacquainted with the language could form an estimate of the matter by the effects produced upon the auditory, it must have been pregnant with genuine oratory. It will be supposed that this singular

priest addressed his parishioners in tones and gestures as rude as the wild dialect to which he was giving utterance. His action and attitudes were as graceful as an accomplished actor could use in delivering the speech of Antony, and his intonations were soft, pathetic, and denunciatory, and conjuring, accordingly as his theme varied, and as he had recourse to different expedients to influence the people. The general character of this strange harangue was impassioned and solemn; but he occasionally had recourse to ridicule, and his countenance at once adapted itself with a happy readiness to derision. The finest spirit of sarcasm gleamed over his features, and shouts of laughter attended his description of a miserable Catholic who should prove recreant to the great cause, by making a sacrifice of his country to his landlord. The close of his speech was peculiarly effective. He became inflamed by the power of his emotions; and while he raised himself into the loftiest attitude to which he could ascend, he laid one hand on the altar, and shook the other in the spirit of almost prophetic admonition, and as his eyes blazed and seemed to start from his forehead, thick drops fell down his face, and his voice rolled through lips livid with passion and covered with foam. It is almost unnecessary to say that such an appeal was irresistible. The multitude burst into shouts of acclamation, and would have been ready to mount a battery roaring with cannon at his command. Two days after the results were felt at the hustings; and while Sir Edward O'Brien stood aghast, Father Murphy marched into Ennis at the head of his tenantry, and polled them to a man in favor of Daniel O'Connell. But I am anticipating.

The notion which had gone abroad in Dublin, that the priests were lukewarm, was utterly unfounded. With the exception of Dean O'Shaughnessy, who is a relative of Mr. Fitzgerald (and for whom there is perhaps much excuse), and a Father Coffey, who has since been deserted by his congregation, and is paid his dues in bad halfpence, there was scarcely a clergyman in the county who did not use his utmost influence over the peasantry. On the day on which Mr. O'Connell arrived, you met a priest in every street, who assured you that

the battle should be won, and pledged himself that "the man of the people" should be returned. "The man of the people" arrived in the midst of the loudest acclamations. Near thirty thousand people were crowded into the streets of Ennis, and were unceasing in their shouts. Banners were suspended from every window, and women of great beauty were everywhere seen waving handkerchiefs with the figure of the patriot stamped upon them. Processions of freeholders, with their parish priests at their head, were marching like troops to different quarters of the city; and it was remarkable that not a single individual was intoxicated. The most perfect order and regularity prevailed; and the large bodies of police which had been collected in the town stood without occupation. These were evidences of organization, from which it was easy to form a conjecture as to the result.

The election opened, and the courthouse in which the Sheriff read the writ presented a very new and striking scene. On the left-hand of the Sheriff stood a Cabinet-minister, attended by the whole body of the aristocracy of the County of Clare. Their appearance indicated at once their superior rank and their profound mortification. An expression of bitterness and of wounded pride was stamped in various modifications of resentment upon their countenances; while others, who were in the interest of Mr. Fitzgerald, and who were the small Protestant proprietors, affected to look big and important, and swelled themselves into gentry upon the credit of voting for the minister. On the right-hand of the Sheriff stood Mr. O'Connell, with scarcely a single gentleman by his side; for most even of the Catholic proprietors had abandoned him, and joined the ministerial candidate. But the body of the Court presented the power of Mr. O'Connell in a mass of determined peasants, among whom black coats and sacerdotal visages were seen felicitously intermixed, outside the balustrade of the gallery on the left-hand of the Sheriff.

Before the business began, a gentleman was observed on whom every eye was turned. He had indeed chosen a most singular position; for, instead of sitting like the other auditors on the seats in the gallery, he leaped over it, and, suspending

himself above the crowd, afforded what was an object of wonder to the great body of the spectators, and of indignation to the High-Sheriff. The attire of the individual who was thus perched in this dangerous position was sufficiently strange. He had a coat of Irish tabinet, with glossy trousers of the same national material; he wore no waistcoat; a blue shirt, lined with streaks of white, was open at his neck, in which the strength of Hercules and the symmetry of Antinous were combined; a broad green sash, with a medal of "the order of Liberators" at the end of it, hung conspicuously over his breast; and a profusion of black curls, curiously festooned about his temples, shadowed a very handsome and expressive countenance, a great part of which was occupied by whiskers of a busy amplitude. "Who, sir, are you?" exclaimed the High-Sheriff, in a tone of imperious melancholy, which he had acquired at Canton, where he had long resided in the service of the East India Company.

But I must pause here, and even at the hazard of breaking the regular thread of the narration—I can not resist the temptation of describing the High-Sheriff. When he stood up with his wand of office in his hand, the contrast between him and the aerial gentleman whom he was addressing was to the highest degree ludicrous. Of the latter some conception has already been given. He looked a chivalrous dandy, who, under the most fantastical apparel, carried the spirit and intrepidity of an exceedingly fine fellow. Mr. High-Sheriff had, at an early period of his life, left his native county of Clare, and had migrated to China, where, if I may judge from his manners and demeanor, he must have been in immediate communication with a Mandarin of the first class, and made a Chinese functionary his favorite model. I should conjecture that he must long have presided over the packing of Bohea, and that some tincture of that agreeable vegetable had been infused into his complexion. An oriental sedateness and gravity are spread over a countenance upon which a smile seldom presumes to trespass. He gives utterance to intonations which were originally contracted in the East, out have been since melodized by his religious habits into a puritanical

chant in Ireland. The Chinese language is monosyllabic, and Mr Molony has extended its character to the English tongue; for he breaks all his words into separate and elaborate divisions, to each of which he bestows a due quantity of deliberate intonation. Upon arriving in Ireland, he addicted himself to godliness, having previously made great gains in China, and he has so contrived as to impart the cadences of Wesley to the pronunciation of Confucius.

Such was the aspect of the great public functionary, who, rising with a peculiar magisteriality of altitude, and stretching forth the emblem of his power, inquired of the gentleman who was suspended from the gallery who he was. "My name is O'Gorman Mahon," was the reply, delivered with a firmness which clearly showed that the person who had conveyed this piece of intelligence thought very little of a High-Sheriff and a great deal of O'Gorman Mahon. The Sheriff had been offended by the general appearance of Mr. Mahon, who had distracted the public attention from his own contemplation; but he was particularly irritated by observing the insurgent symbol of "the Order of Liberators" dangling at his breast.* "I tell that gentleman," said Mr. Molony, "to take off that badge." There was a moment's pause, and then the following answer was slowly and articulately pronounced: "This gentleman" (laying his hand on his breast) "tells that gentleman" (pointing with the other to the Sheriff) "that if that gentleman presumes to touch this gentleman, this gentleman will defend himself against that gentleman, or any other gentleman, while he has got the arm of a gentleman to protect him." This ex-

* The Order of Liberators arose out of the contested election for the county of Waterford, in 1826, when Mr. Villiers Stuart (subsequently raised to the peerage) defeated Lord George Beresford, brother to the Marquis of Waterford. The forty-shilling freeholders having thus beaten down what was called "the Beresford tyranny," O'Connell instituted the Order of Liberators, of which he was Grand-Master, to commemorate the patriotic deed. Whoever, being of good character, had rendered a service to Ireland, was entitled to wear the medal, attached to a broad green riband. After Clare Election, it was resolved, at a Chapter of the Order, over which Mr. Lawless presided, that four thousand medals should be struck, for the purpose of distribution among the liberal electors of Clare. — M.

traordinary sentence was followed by a loud burst of applause from all parts of the courthouse. The High-Sheriff looked aghast. The expression of self-satisfaction and magisterial complacency passed off of his visage, and he looked utterly blank and dejected. After an interval of irresolution, down he sat. "The soul" of O'Gorman Mahon (to use Curran's expression) "walked forth in its own majesty;" he looked "redeemed, regenerated, and disenthralled." The medal of "the Order of Liberators" was pressed to his heart. O'Connell surveyed him with gratitude and admiration; and the first blow was struck, which sent dismay into the heart of the party of which the Sheriff was considered to be an adherent.

This was the opening incident of this novel drama. When the sensation which it had created had in some degree subsided, the business of the day went on. Sir Edward O'Brien proposed Mr. Vesey Fitzgerald as a proper person to serve in Parliament. Sir Edward had upon a former occasion been the vehement antagonist of Mr. Fitzgerald, and in one instance a regular battle had been fought between the tenantry of both parties. It was supposed that this feud had left some acrimonious feelings which were not quite extinct behind, and many conjectured that the zeal of Sir Edward in favor of his competitor was a little feigned. This notion was confirmed by the circumstance that Sir Edward O'Brien's son (the member for Ennis) had subscribed to the Catholic rent, was a member of the Association, and had recently made a vigorous speech in Parliament in defence of that body.* It is, however, probable

* William Smith O'Brien, of Cahermoyle, Clare county, second son of the late Sir Edward O'Brien, was born on October 17, 1803. He entered Parliament early, and soon attached himself to the popular cause. His ablest speech in Parliament was when moving for an inquiry into the state of Ireland. It was a clear and forcible statement of Irish grievances, and caused a prolonged and exciting discussion. The Repeal agitation of 1843–'4 made him a convert, and he took his seat in Conciliation Hall amid much applause, as his adhesion, delayed till then, was evidently caused by conviction. While O'Connell was in *duresse*, under illegal verdict and judgment, in 1844 his place in Conciliation Hall was supplied by Smith O'Brien, who announced that, having abandoned all hope of "justice to Ireland" from the British Parliament, he withdrew from regular attendance in the House of Commons, and would now

that the feudal pride of Sir Edward O'Brien, which was deeply mortified by the defection of his vassals, absorbed every other feeling, and that, however indifferent he might have been on Mr. Fitzgerald's account, yet that he was exceedingly irritated upon his own. He appeared at least to be profoundly moved, and had not spoken above a few minutes when tears fell from his eyes. He has a strong Irish character impressed upon him. It is said that he is lineally descended from the Irish emperor, Brian-Borue; and indeed he has some resemblance to the sign-post at a tavern near Clontarf, in which the image of that celebrated monarch is represented. He is squat, bluff, and impassioned. An expression of good-nature, rather than of good-humor, is mixed up with a certain rough consciousness of his own dignity, which in his most familiar moments he never lays aside, for the Milesian predominates in his demeanor, and his royal recollections wait perpetually upon him. He is a great favorite with the people, who are attached to the descendants of the ancient indigenous families of the county, and who see in Sir Edward O'Brien a good landlord, as well as the representative of Brian Borue.

I was not a little astonished at seeing him weep upon the hustings. It was, however, observed to me that he is given to the "melting mood," although his tears do not fall like the gum of "the Arabian tree." In the House of Commons he once produced a great effect, by bursting into tears, while he described the misery of the people of Clare, although, at the

apply his energies to the attainment of a domestic legislature for Ireland. In 1846, still declining to attend, he refused to serve on a railway committee, and was committed to confinement by the House of Commons for "contempt." After a time he was liberated, but without any concession on his part. In 1848, having ardently adopted "physical force" principles, he unsuccessfully attempted to liberate Ireland from legislative connection with Great Britain; was apprehended, committed, and tried for high-treason; convicted, sentenced to death (for which transportation for life was substituted), and hurriedly deported to Van Dieman's Land, the very worst of the penal settlements, and commonly called "Hell-upon-earth," and is now (January, 1854) a "convict" there. Marked ability and the purest motives have always distinguished this man, who loved Ireland "not wisely" (under acts of Parliament), "but too well."—M.

same time, his granaries were full. It was said that his hustings pathos was of the same quality, and arose from the peculiar susceptibility of the lacrymatory nerves, and not from any very nice fibres about the heart: still I am convinced that his emotion was genuine, and that he was profoundly touched. He complained that he had been deserted by his tenants, although he had deserved well at their hands; and exclaimed that the country was not one fit for a gentleman to reside in, when property lost all its influence, and things were brought to such a pass. The motion was seconded by Sir A. Fitzgerald in a few words.* Mr. Gore, a gentleman of very large estate, took occasion to deliver his opinions in favor of Mr. Fitzgerald; and Mr. O'Gorman Mahon and Mr. Steele proposed Mr. O'Connell.

It then fell to the rival candidates to speak; and Mr. Vesey Fitzgerald, having been first put in nomination, first addressed the freeholders. He seemed to me to be about five-and-forty years of age, his hair being slightly marked with a little edging of scarcely-perceptible silver, but the care with which it was distributed and arranged showed that the Cabinet Minister had not yet entirely dismissed his Lothario recollections. I had heard, before I had even seen Mr. Fitzgerald, that he was in great favor with the *Calistas* at Almack's; and I was not surprised at it, on a minute inspection of his aspect and deportment. It is not that he is a handsome man (though he is far from being the reverse), but that there is an air of blended sweetness and assurance, of easy intrepidity and gentle gracefulness about him, which are considered to be eminently winning. His countenance, though too fully circular, and a little tinctured with vermilion, is agreeable. The eyes are of bright hazel, and have an expression of ever-earnest frankness, which an acute observer might suspect, while his mouth is full of a strenuous solicitude to please. The moment he rose, I perceived that he was an accomplished gentleman; and, when I had heard him utter a few sentences, I was satisfied that he was a most accomplished speaker.

* Sir Augustus Fitzgerald, of Newmarket-on-Fergus, county of Clare, a Lieutenant-General in the army, was created Baronet in 1821, and died in 1834.—M.

He delivered one of the most effective and dexterous speeches which it has ever been my good fortune to hear. There were evident marks of deep pain and of fear to be traced in his features, which were not free from the haggardness of many an anxious vigil; but though he was manifestly mortified in the extreme, he studiously refrained from all exasperating sentiment or expression. He spoke at first with a graceful melancholy, rather than a tone of impassioned adjuration. He intimated that it was rather a measure of rigorous, if not unjustifiable policy, to display the power of the Association in throwing an individual out of Parliament who had been the warm and uniform advocate of the Catholic cause during his whole political life. He enumerated the instances in which he had exerted himself in behalf of that body which were now dealing with him with such severity, and referred to his services with regard to the College of Maynooth.

The part of his speech which was most powerful related to his father. The latter had opposed the Union, and had many claims upon the national gratitude. The topic was one which required to be most delicately touched, and no orator could treat it with a more exquisite nicety than Mr. Fitzgerald. He became, as he advanced, and the recollection of his father pressed itself more immediately upon his mind, more impassioned. At the moment he was speaking, his father, to whom he is most tenderly attached, and by whom he is most beloved, was lying upon a bed whence it was believed that he would never rise; and efforts had been made to conceal from the old man the contest in which his son was involved.* It is impossible to mistake genuine grief; and when Mr. Fitzgerald paused for an instant, and, turning away, wiped off the tears that came streaming from his eyes, he won the sympathies of every one about him. There were few who did not give the same evidence of emotion; and when he sat down, although the great majority of the audience were strongly opposed to him, and were enthusiasts in favor of the rival candidate, a loud and unanimous burst of acclamation shook the courthouse.

* The Right Honorable James Fitzgerald, who sacrificed place and its emoluments for his country, died in 1835, aged ninety-three. — M.

Mr. O'Connell rose to address the people in reply.* It was manifest that he considered a great exertion to be requisite in order to do away the impression which his antagonist had produced. It was clear that he was collecting all his might, to those who were acquainted with the workings of his physiognomy. Mr. O'Connell bore Mr. Fitzgerald no sort of personal aversion, but he determined, in this exigency, to have little mercy on his feelings, and to employ all the power of vituperation of which he was possessed, against him. This was absolutely necessary; for if mere dexterous fencing had been resorted to by Mr. O'Connell, many might have gone away with the opinion that, after all, Mr. Fitzgerald had been thanklessly treated by the Catholic body. It was therefore disagreeably requisite to render him, for the moment, odious. Mr. O'Connell began by awakening the passions of the multitude in an attack on Mr. Fitzgerald's allies. Mr. Gore had lauded him highly. This Mr. Gore is of Cromwellian descent, and the people detest the memory of the Protector to this day. There is a tradition (I know not whether it has the least foundation) that the ancestor of this gentleman's family was a nailer by trade in the Puritan army. Mr. O'Connell, without any direct reference to the fact, used a set of metaphors, such as "striking the nail on the head"—"putting a nail into a coffin," which at once recalled the associations which were attached to the name of Mr. Gore; and roars of laughter assailed that gentleman on every side. Mr. Gore has the character of being not only very opulent, but of bearing a re-

* O'Connell's personal appearance was greatly in his favor. He had that massiveness of mould which the populace like to witness in one who aspires to lead them. He had what singers call a *chest-voice;* deep, clear, musical, and audible even in a whisper. At the Clare Election, in 1828, he was in his fifty-third year. Prince Puckler Muscau, who visited Ireland about this time, thus described the Man of the People, in his *Tour of a German Prince:* "Daniel O'Connell, is indeed, no common man, though the man of the commonalty. His exterior is attractive, and the expression of intelligent good nature, united with determination and prudence, which marks his countenance, is extremely winning. It is impossible not to follow his powerful arguments with interest: and such is the martial dignity of his carriage, that he looks more like a general of Napoleon's than a Dublin advocate."—M.

gard to his possessions proportioned to their extent. Nothing is so unpopular as prudence in Ireland; and Mr. O'Connell rallied Mr. Gore to such a point upon this head, and that of his supposed origin, that the latter completely sunk under the attack. He next proceeded to Mr. Fitzgerald, and, having drawn a picture of the late Mr. Perceval, he turned round and asked of the rival candidate, with what face he could call himself their friend, when the first act of his political life was to enlist himself under the banners of "the bloody Perceval." This epithet (whether it be well or ill deserved is not the question) was sent into the hearts of the people with a force of expression, and a furious vehemence of voice, that created a great sensation among the crowd, and turned the tide against Mr. Fitzgerald. "This too," said Mr. O'Connell, "is the friend of Peel—the bloody Perceval, and the candid and manly Mr. Peel—and he is our friend! and he is everybody's friend! The friend of the Catholic was the friend of the bloody Perceval, and is the friend of the candid and manly Mr. Peel!"

It is unnecessary to go through Mr. O'Connell's speech. It was stamped with all his powerful characteristics,* and galled Mr. Fitzgerald to the core. That gentleman frequently muttered an interrogatory, "Is this fair?" when Mr. O'Connell was using some legitimate sophistication against him. He seemed particularly offended when his adversary said, "I never shed tears in public," which was intended as a mockery of Mr. Fitzgerald's references to his father. It will be thought by some sensitive persons that Mr. O'Connell was not quite warranted in this harsh dealing, but he had no alternative. Mr. Fitzgerald had made a very powerful speech, and the effect was to be got rid of. In such a warfare a man must not

* When O'Connell said that he "was the best-abused man in the world," he might have added that he was the *best-abusing*. However, he had ample precedents, one of which now occurs to me. Sir Archibald Macdonald (who was Chief-Baron of the English Court of Exchequer, from 1793 to 1813) once told Sir Fletcher Norton, afterward Speaker of the House of Commons, that he was "a lazy, indolent, evasive, shuffling, plausible, artful, mean, confident, cowardly, poor, pitiful. sneaking, and abject creature." This was in Parliament, where the decencies of speech are supposed to be observed!—M.

pause in the selection of his weapons, and Mr. O'Connell is not the man to hesitate in the use of the rhetorical sabre.

Nothing of any peculiar interest occurred after Mr. O'Connell's speech upon the first day. On the second the polling commenced; and on that day, in consequence of an expedient adopted by Mr. Fitzgerald's committee, the parties were nearly equal. A Catholic freeholder can not, in strictness, vote at an election without making a certain declaration, upon oath, respecting his religious opinions, and obtaining a certificate of his having done so from a magistrate. It is usual for candidates to agree to dispense with the necessity of taking this oath. It was, however, of importance to Mr. Fitzgerald to delay the election; and with that view his committee required that the declaration should be taken.* Mr. O'Connell's committee were unprepared for this form, and it was with the utmost difficulty that magistrates could be procured to attend to receive the oath. It was, therefore, impossible, on the first day, for Mr. O'Connell to bring his forces in the field, and thus the parties appeared nearly equal. To those who did not know the real cause of this circumstance, it appeared ominous, and the O'Connellites looked sufficiently blank; but the next day everything was remedied. The freeholders were sworn *en masse*. They were brought into a yard enclosed within four walls. Twenty-five were placed against each wall, and they simultaneously repeated the oath. When one batch of swearers had been disposed of, the person who administered the declaration, turned to the adjoining division, and despatched them. Thus he went through the quadrangle, and in the course of a few minutes was able to discharge one hundred patriots upon Mr. Fitzgerald.

It may be said that an oath ought to be more solemnly administered. In reply it is only necessary to observe, that

* Formerly, a County Election might occupy 15 days, in the mere polling of the voters. The Reform Bill has changed that, and County Elections can not now last more than two days (if there be a contest), exclusive of the day on which the candidates are publicly nominated, and that on which the Returning officer declares the result of the electoral strife. If there be no opposition to the candidate, the nomination, candidate's address, and declaration of the election, need not occupy an hour. I have seen it hurried through in less time.—M.

the declaration in question related principally to "the Pretender," and when "the legislature persevere in compelling the name of God to be thus taken in vain," the ritual becomes appropriately farcical, and the manner of the thing is only adapted to the ludicrous matter upon which it is legally requisite that Heaven should be attested! The oath which is imposed upon a Roman Catholic is a violation of the first precept of the decalogue! This species of machinery having been thus applied to the art of swearing, the effects upon the poll soon became manifest, and Mr. O'Connell ascended to a triumphant majority. It became clear that the landlords had lost all their power, and that their struggles were utterly hopeless. Still they persevered in dragging the few serfs whom they had under their control to the hustings, and in protracting the election. It was Mr. Fitzgerald's own wish, I believe, to abandon the contest, when its ultimate issue was already certain; but his friends insisted that the last man whom they could command should be polled out. Thus the election was procrastinated.

In ordinary cases, the interval between the first and the last day of polling is monotonous and dull; but during the Clare election so many ludicrous and extraordinary incidents were every moment occurring, as to relieve any attentive observer from every influence of ennui. The writer of this article was under the necessity of remaining during the day in the Sheriff's booth, where questions of law were chiefly discussed, but even here there was much matter for entertainment. The sheriff afforded a perpetual fund of amusement. He sat with his wand of office leaning against his shoulder, and always ready for his grasp. When there was no actual business going forward, he still preserved a magisterial dignity of deportment, and with half-closed eyelids, and throwing back his head, and forming with his chin an obtuse angle with the horizon, reproved any indulgence in illicit mirth which might chance to pass among the bar. The gentleman who were professionally engaged having discovered the chief foible of the Sheriff, which consisted in the most fantastical notions of himself, vied with each other in playing upon this weakness. "I feel that

I address myself to the first man of the county," was the usual exordium with which legal argument was opened.* The Sheriff, instead of perceiving the sneer which involuntarily played round the lips of the mocking sycophant, smiled with an air of Malvolio condescension, and bowed his head. Then came some noise from the adjoining booths, upon which the Sheriff used to start up and exclaim, "I declare I do not think that I am treated with proper respect—verily, I'll go forth and quell this tumult—I'll show them I am the first man in the county, and I'll commit somebody." With that "the first man in the county," with a step slightly accelerated by his resentment at a supposed indignity to himself, used to proceed in quest of a riot, but generally returned with a good-humored

* The Sheriff's powers exceeded those of the Magistracy. In those days, nearly every out-at-elbows Protestant, who, like Justice Shallow, could write himself "in any bill, warrant, quittance, or obligation, *armigero*," was made a magistrate, provided he had the requisite amount of Ascendency intolerance. The *vademecum* of such justices, under which they dispensed law indifferently (*very* indifferently, indeed), was MacNally's "Justice of the Peace in Ireland," which, with adaptations to the present state of the law, is yet in vogue and has long been to magistrates in Ireland, what "Burn's Justice" is to those of England. As originally published, it was full of errors, and those who acted on it, often found themselves drawn into lawsuits, as defendants. "What could make you act so?" MacNally would ask. "Faith, sir, I acted on the advice of your own book!" Not much taken aback, for such scenes were frequent, MacNally would say, "As a human work, the book has errors, no doubt—but I shall correct them all *when it comes to a second edition!*"—Leonard MacNally was very short and nearly as broad as long: his legs were of unequal length, and he had a face which no washing could clean, and he wanted one thumb. He had good eyes and an expressive countenance. He was lame, also, which made Curran say, when he entered the lawyer's corps, in 1798, that he ran a chance of being shot for disobedience of orders, for that when the adjutant would cry "march," MacNally would certainly "*halt!*" When he walked rapidly, he would take two thumping steps with the short leg, to bring up the space made by the long one, and from this the bar nicknamed him "One *pound* two." He was expelled by the bar-mess, on account of the dirtiness of his person. Once when he went to France for a month, Curran said, "He has taken a shirt and a guinea, and he'll change neither until he comes back." The well-known song, "The lass of Richmond Hill" was written by MacNally upon his sweetheart, a Miss Janson, who sympathized with him in scribbling verses and not washing her hands. They were married, lived happily, and, to the last, were economic in the use of soap!—M.

expression of face, observing: "It was only Mr. O'Connell and I must say when I remonstrated with him, he paid me every sort of proper respect. He is quite a different person from what I had heard. But let nobody imagine that I was afraid of him. I'd commit him, or Mr. Vesey Fitzgerald, if I was not treated with proper respect; for by virtue of my office I am the first man in the county." This phrase of the Sheriff became so familiar, that a set of wags, who in the intervals of leisure, had set about practising mimicry, emulated each other in repeating it, and succeeded in producing various pleasant imitations of the "first man in the county."

A young gentleman (Mr. Nicholas Whyte) turned this talent to a very pleasant and useful account. He acted as agent to Mr. O'Connell, in a booth of which the chief officer, or Sheriff's Deputy, as he is called, was believed to be a partisan of Mr. Fitzgerald, and used to delay Mr. O'Connell's tallies. A tumult would then ensue, and the deputy would raise his voice in a menacing tone against the friends of Mr. O'Connell. The High-Sheriff himself had been accustomed to go to the entrance of the different booths and to command silence with his long-drawn and dismal ejaculations. When the deputy was bearing it with a high hand, Mr. Whyte would sometimes leave the booth, and standing at the outward edge of the crowd, just at the moment that the deputy was about to commit some partisan of Mr. O'Connell, the mimic would exclaim, in a death-bell voice, "Silence, Mr. Deputy, you are exceedingly disorderly —silence!" The deputy being enveloped by the multitude, could not see the individual who thus addressed him, and believing it to be the Sheriff, sat down confounded at the admonition, while Mr. O'Connell's tally went rapidly on, and the disputed vote was allowed.

These vagaries enlivened occupations which in their nature were sufficiently dull. But the Sheriff's booth afforded matter more deserving of note than his singularities. Charges of undue influence were occasionally brought forward, which exhibited the character of the election in its strongest colors.

One incident I particularly remember. An attorney employed by Mr. Fitzgerald rushed in and exclaimed that a priest

was terrifying the voters. This accusation produced a powerful effect. The counsel for Mr. O'Connell defied the attorney to make out his charge. The assessor very properly required that the priest should attend; and behold Father Murphy of Corofin! His solemn and spectral aspect struck everybody. He advanced with fearlessness to the bar, behind which the Sheriff was seated, and inquired what the charge was which had been preferred against him, with a smile of ghastly derision. "You were looking at my voters," cries the attorney. "But I said nothing," replied the priest, "and I suppose that I am to be permitted to look at my parishioners."—"Not with such a face as that!" cried Mr. Dogherty, one of Mr. Fitzgerald's counsel. This produced a loud laugh; for, certainly, the countenance of Father Murphy was fraught with no ordinary terrors. "And this, then," exclaimed Mr. O'Connell's counsel, "is the charge you bring against the priests! Let us see if there be an act of Parliament which prescribes that a Jesuit shall wear a mask." At this instant, one of the agents of Mr. O'Connell precipitated himself into the room, and cried out, "Mr. Sheriff, we have no fair play—Mr. Singleton is frightening his tenants—he caught hold of one of them just now, and threatened vengeance against him." This accusation came admirably *apropos*. "What!" exclaimed the advocate of Mr. O'Connell, "is this to be endured? Do we live in a free country, and under a constitution? Is a landlord to commit a battery with impunity, and is a priest to be indicted for his physiognomy, and to be found guilty of a look?" Thus a valuable set-off against Father Murphy's eyebrows was obtained. After a long debate, the assessor decided that, if either a priest or a landlord actually interrupted the poll, they should be indiscriminately committed; but thought the present a case only for admonition. Father Murphy was accordingly restored to his physiognomical functions.

The matter had been scarcely disposed of, when a loud shout was heard from the multitude outside the courthouse, which had gathered in thousands, and yet generally preserved a profound tranquillity. The large window in the Sheriff's booth gave an opportunity of observing whatever took place in the

square below; and, attracted by the tremendous uproar, everybody ran to see what was going on among the crowd. The tumult was produced by the arrival of some hundred freeholders from Kilrush, with their landlord, Mr. Vandeleur, at their head. He stood behind a carriage, and, with his hat off, was seen vehemently addressing the tenants who followed him. It was impossible to hear a word which he uttered, but his gesture was sufficiently significant: he stamped, and waved his hat, and shook his clinched hand. While he thus adjured them, the crowd through which they were passing assailed them with cries: "Vote for your country, boys! vote for the old religion!—Three cheers for liberty!—Down with Vesey, and hurra for O'Connell!" These were the exclamations which rent the air as they proceeded. They followed their landlord until they had reached a part of the square where Mr. O'Connell lodged, and before which a large platform had been erected, which communicated with the window of his apartment, and to which he could advance whenever it was necessary to address the people. When Mr. Vandeleur's freeholders had attained this spot, Mr. O'Connell rushed forward on the platform, and lifted up his arm. A tremendous shout succeeded, and in an instant Mr. Vandeleur was deserted by his tenants.

This platform exhibited some of the most remarkable scenes which were enacted in this strange drama of "The Clare Election." It was sustained by pillars of wood, and stretched out several feet from the wall to which it was attached. Some twenty or thirty persons could stand upon it at the same time. A large quantity of green boughs were turned about it, and, from the sort of bower which they formed, occasional orators addressed the people during the day. Mr. M'Dermot, a young gentleman from the county of Galway, of considerable fortune, and a great deal of talent as a speaker, used to harangue the multitude with great effect. Father Sheehan, a clergyman from Waterford, who had been mainly instrumental in the overthrow of the Beresfords, also displayed from this spot his eminent popular abilities. A Dr. Kenny, a Waterford surgeon, thinking that "the times were out of joint," came "to set them right" Father Maguire, Mr. Lawless, indeed the whole com-

pany of orators, performed on this theatre with indefatigable energy.

Mirth and declamation, and anecdote and grotesque delineation, and mimicry, were all blended together for the public entertainment. One of the most amusing and attractive topics was drawn from the adherence of Father Coffey to Mr. Fitzgerald. His manners, his habits, his dress, were all selected as materials for ridicule and invective; and puns, not the less effective because they were obvious, were heaped upon his name. The scorn and detestation with which he was treated by the mob clearly proved that a priest has no influence over them when he attempts to run counter to their political passions. He can hurry them on in the career into which their own feelings impel them, but he can not turn them into another course. Many incidents occurred about this rostrum, which, if matter did not crowd too fast upon me, I should stop to detail. I have not room for a minute narration of all that was interesting at this election, which would occupy a volume, and must limit myself to one, but that a very striking circumstance.

The generality of the orators were heard with loud and clamorous approbation; but, at a late hour one evening, and when it was growing rapidly dark, a priest came forward on the platform, who addressed the multitude in Irish. There was not a word uttered by the people. Ten thousand peasants were assembled before the speaker, and a profound stillness hung over the living but almost breathless mass. For minutes they continued thus deeply attentive, and seemed to be struck with awe as he proceeded. Suddenly I saw the whole multitude kneel down, in one concurrent genuflection. They were engaged in silent prayer, and when the priest arose (for he too had knelt down on the platform), they also stood up together from their orison. The movement was performed with the facility of a regimental evolution. I asked (being unacquainted with the language) what it was that had occasioned this extraordinary spectacle; and was informed that the orator had stated to the people that one of his own parishioners, who had voted for Mr. Fitzgerald, had just died; and he called upon

the multitude to pray to God for the repose of his soul, and the forgiveness of the offence which he had committed in taking the bribery oath. Money, it seems, had been his inducement to give his suffrage against Mr. O'Connell. Individuals, in reading this, will exclaim, perhaps, against these expedients for the production of effect upon the popular passions. Let me observe in parenthesis, that the fault of all this (if it is to be condemned) does not lie with the Association, with the priesthood, or with the people, but with the law, which has, by its system of anomalies and alienations, rendered the national mind susceptible of such impressions.

Thus it was the day passed, and it was not until nearly nine o'clock that those who were actively engaged in the election went to dinner. There a new scene was opened. In a small room in a mean tavern, kept by a Mrs. Carmody, the whole body of leading patriots, counsellors, attorneys, and agents, with divers interloping partakers of election hospitality, were crammed and piled upon one another, while Mr. O'Connell sat at the head of the feast, almost overcome with fatigue, but yet sustained by that vitality which success produces. Enormous masses of beef, pork, mutton, turkeys, tongues, and fowl, were strewed upon the deal-boards, at which the hungry masticators proceeded to their operations. For some time nothing was heard but the clatter of the utensils of eating, interrupted by an occasional hobnobbing of "the counsellor," who, with his usual abstinence, confined himself to water.

The cravings of the stomach having been satisfied, the more intellectual season of potations succeeded. A hundred tumblers of punch, with circular slices of lemon, diffused the essence of John Barleycorn in profuse and fragrant steams. Loud cries for hot water, spoons, and materials, were everywhere heard, and huge jugs were rapidly emptied and replenished by waiters, who would have required ubiquity to satisfy all the demands upon their attention. Toasts were then proposed and speeches pronounced, and the usual "hip, hip, hurra!" with unusual accompaniments of exultation, followed. The feats of the day were then narrated: the blank looks of Ned Hickman, whose face had lost all its natural hilarity, and looked at the election

like a full moon in a storm; the shroud-colored physiognomy of Mr. Sampson; and the tears of Sir Edward O'Brien, were alternately the subjects of merriment. Mr. Whyte was then called upon for an imitation of the Sheriff, when he used to ride upon an elephant at Calcutta. But in the midst of this conviviality, which was heightened by the consciousness that there was no bill to be paid by gentlemen who were the guests of their country, and long before any inebriating effect was observable, a solemn and spectral figure used to stride in, like the ghost of Hamlet, and the same deep, churchyard voice which had previously startled my ears, raised its awful peal, while it exclaimed: "The wolf, the wolf is on the walk! Shepherds of the people, what do you here? Is it meet that you should sit carousing and in joyance, while the freeholders remain unprovided, and temptation, in the shape of famine, is among them? Arise, I say, arise from your cups—the wolf, the wolf is on the walk!"

Such was the disturbing and heart-appalling adjuration of Father Murphy of Corofin, whose enthusiastic sense of duty never deserted him, and who, when the feast was unfinished, entered like the figure of Death which the Egyptians employed at their banquets. He walked round the room with a measured pace, like the envoy of another world, chasing the revellers before him, and repeating the same dismal warning—"The wolf, the wolf is on the walk!" Nothing was comparable to the aspect of Father Murphy upon these occasions, except the physiognomy of Mr. Lawless.

This gentleman, who had been usefully exerting himself during the whole day, somewhat reasonably expected that he should be permitted to enjoy the just rewards of patriotism for a few hours without any nocturnal molestation. It was about the time that he had just commenced his second tumbler, and when the exhilarating influence of his eloquent chalices was beginning to display itself, that the dismal cry was wont to come upon him. The look of piteous despair with which he surveyed this unrelenting foe to conviviality, was almost as ghastly at that of his merciless disturber; and as, like another Tantalus, he saw the draughts of pleasantness hurled away, a

schoolmaster, who sat by him, and who "was abroad" during the election, used to exclaim: —

——"A labris sitiens fugientia captat
Flumina."——

It was in vain to remonstrate against Father Murphy, who insisted that the whole company should go forth to meet "the wolf upon the walk."

Upon going down stairs, the lower apartments were found thronged with freeholders and priests. To the latter had been assigned the office of providing food for such of the peasants as lived at too great a distance from the town to return immediately home; and each clergyman was empowered to give an order to the victuallers and tavern-keepers to furnish the bearer with a certain quantity of meat and beer. The use of whiskey was forbidden.

There were two remarkable features observable in the discharge of this office. The peasant, who had not tasted food perhaps for twenty-four hours, remained in perfect patience and tranquillity until his turn arrived to speak "to his reverence;" and the Catholic clergy continued with unwearied assiduity and the most amiable solicitude, though themselves quite exhausted with fatigue, in the performance of this necessary labor. There they stayed until a late hour in the morning, and until every claimant had been contented. It is not wonderful that such men, animated by such zeal, and operating upon so grateful and so energetic a peasantry, should have effected what they succeeded in accomplishing.

The poll at length closed; and, after an excellent argument delivered by the assessor, Mr. Richard Keatinge, he instructed the Sheriff to return Mr. O'Connell as duly elected.*

* The result of this election, was that the Duke of Wellington (who a few months previously had declared that "he could not comprehend the possibility of placing Roman Catholics in a Protestant legislature with any kind of safety, and whose personal knowledge told him, that no King, however Catholic, could govern his Catholic subjects without the aid of the Pope") became convinced that the choice lay between Catholic Emancipation and Civil war. He preferred the former, for which the repeal of the Test Act, in the previous year, had prepared the English mind. On the 5th February, 1829, the King's speech, at the opening of the Session recommended the suppression of the Catholic

The Courthouse was again crowded, as upon the first day, and Mr. Fitzgerald appeared at the head of the defeated aristocracy. They looked profoundly melancholy. Mr. Fitzgerald himself did not affect to disguise the deep pain which he felt, but preserved that gracefulness and perfect good temper which had characterized him during the contest, and which, at its close, disarmed hostility of all its rancor. Mr. O'Connell made a speech distinguished by just feeling and good taste, and

Association, and the subsequent consideration of Catholic disabilities, with a view to their adjustment and removal. At the instance of Mr. Sheil, supported by the Catholic Bishops, the Association dissolved itself. Mr. O'Connell, who had arrived in London, to take his seat for Clare, *as a Catholic*—which he contended he could do even under the old law—did not make the attempt, fearful lest it should embarrass a Government determined, however tardily and by compulsion, to do justice to Ireland. The Emancipation Bill became the law of the land, after much angry and personal discussion. O'Connell expected, as did the public at large, that he might take his seat under the new law. He presented himself at the bar of the House to be sworn, but declining to take the old oath (which declared the Catholic faith to be idolatrous), was directed by the Speaker to withdraw. A motion that he should take the new oaths, which were framed for the relief of Catholics, was negatived—on the ground that Mr. O'Connell was elected under the old system. He was then heard at the bar of the House, where he claimed his right to sit and vote, under the Act of Union as well as under the new Relief Bill. When the form of oath was again handed to him, he again refused to take it, saying that it contained one assertion which he knew to be not true, and another which he believed to be false. It was decided that he should not sit without taking the objectionable oath—thus making the Emancipation Act have an *ex post facto* operation. A new writ was issued for Clare. O'Connell again presented himself, and was again elected—though a certain Mr. Toby Glascock started from Dublin to oppose him, but did not reach Ennis until the election was over. On this re-election O'Connell took his seat, under the new act, and it was felt, even by the bulk of their partisans, that Ministers had done wrong to him, insult to his constituents, and injury to themselves, by refusing to extend the privileges of their own statute to Mr. O'Connell. It was a strange way to conciliate him, and they soon felt his power. Such a man, then virtually representing five millions of Irish Catholics, and endowed with rare talents, as an orator and a lawyer, speedily found his level in Parliament—and that was with the ablest and the most influential. Smarting under the sense of wrong, in this instance of asking him to swear an oath which the Legislature had just abrogated, it was only natural, when the opportunity came, that O'Connell should be found vehement and strong against Wellington and Peel. They had sowed the wind and he made them reap the whirlwind.—M.

begged that Mr. Fitzgerald would forgive him, if he had upon the first day given him any sort of offence. Mr. Fitzgerald came forward and unaffectedly assured him that whatever was said should be forgotten. He was again hailed with universal acclamation, and delivered a speech which could not surpass, in good judgment and persuasiveness, that with which he had opened the contest, but was not inferior to it. He left an impression, which hereafter will, in all probability, render his return for the County of Clare a matter of certainty; and, upon the other hand, I feel convinced that he has himself carried away from the scene of that contention — in which he sustained a defeat, but lost no honor — a conviction that not only the interests of Ireland, but the safety of the empire, require that the claims of seven millions of his fellow-citizens should be conceded. Mr. Fitzgerald, during the progress of the election, could not refrain from repeatedly intimating his astonishment at what he saw, and from indulging in melancholy forebodings of the events, of which these incidents are perhaps but the heralds. To do him justice, he appeared at moments utterly to forget himself, and to be absorbed in the melancholy presages which pressed themselves upon him. "Where is all this to end?" was a question frequently put in his presence, and from which he seemed to shrink.

At the close of the poll, Mr. Sheil delivered a speech, in which the views of the writer of this article were expressed; and as no faithful account of what he said upon that occasion appeared in the London papers, an extract from his observations will be justified, not by any merit in the composition as a piece of oratory, but by the sentiments of the speaker, which appear to me to be just, and were suggested by the scenes in which he had taken a part. The importance of the subject may give a claim to attention, which in other instances the speaker may not be entitled to command. He spoke in the following terms:—

"I own that I am anxious to avail myself of this opportunity to make reparation to Mr. Fitzgerald. Before I had the honor of hearing that gentleman, and of witnessing the mild and conciliatory demeanor by which he is distinguished, I had

in another place expressed myself with regard to his political conduct, in language to which I believe that Mr. Fitzgerald referred upon the first day of the election, and which was, perhaps, too deeply tinctured with that virulence which is almost inseparable from the passions by which this country is so unhappily divided. It is but an act of justice to Mr. Fitzgerald to say, that, however we may be under the necessity of opposing him as a Member of an Administration hostile to our body, it is impossible to entertain toward him a sentiment of individual animosity; and I confess that, after having observed the admirable temper with which he encountered his antagonists, I can not but regret that, before I had the means of forming a just estimate of his personal character, I should have indulged in remarks in which too much acidity may have been infused.

"The situation in which Mr Fitzgerald was placed was peculiarly trying to his feelings. He had been long in possession of this County. Though we considered him as an inefficient friend, we were not entitled to account him as an opponent. Under these circumstances, it may have appeared harsh, and perhaps unkind, that we should have selected him as the first object for the manifestation of our power; another would have found it difficult not to give way to the language of resentment and of reproach; but, so far from doing so, his defence of himself was as strongly marked by forbearance as it was by ability. I thought it, however, not altogether impossible that, before the fate of this election was decided, Mr Fitzgerald might have been merely practising an expedient of wily conciliation, and that, when he appeared so meek and self-controlled in the midst of a contest which would have provoked the passions of any ordinary man, he was only stifling his resentment, in the hope that he might succeed in appeasing the violence of the opposition with which he had to contend. But Mr. Fitzgerald, in the demeanor which he has preserved to-day, after the election has concluded with his defeat, has given proof that his gentleness of deportment was not affected and artificial; and, now that he has no object to gain, we can not but give him as ample credit for his sincerity, as we must

give him for that persuasive gracefulness by which his manners are distinguished. Justly has he said that he has not lost a friend in this country; and he might have added, that, so far from having incurred any diminution of regard among those who were attached to him, he has appeased, to a great extent, the vehemence of that political enmity in which the associate of Mr. Peel was not very unnaturally held.

"But, Sir, while I have thus made the acknowledgment which was due to Mr. Fitzgerald, let me not disguise my own feelings of legitimate, but not, I hope, offensive exultation, at the result of this great contest, that has attracted the attention of the English people beyond all example. I am not mean enough to indulge in any contumelious vaunting over one who has sustained his defeat with so honorable a magnanimity. The victory which has been achieved has been obtained, not so much over Mr. Fitzgerald, as over the faction with which I excuse him, to a great extent, for having been allied. A great display of power has been made by the Catholic Association, and that manifestation of its influence over the national mind I regard as not only a very remarkable, but a very momentous incident. Let us consider what has taken place, in order that we may see this singular political phenomenon in its just light. It is right that we attentively survey the extraordinary facts before us, in order that we may derive from them the moral admonitions which they are calculated to supply. What then has happened? Mr. Fitzgerald was promoted to a place in the Duke of Wellington's councils, and the representation of this great County became vacant. The Catholic Association determined to oppose him, and at first view the undertaking seemed to be desperate. Not a single Protestant gentleman could be procured to enter the lists, and, in the want of any other candidate, Mr. O'Connell stood forward on behalf of the people. Mr. Vesey Fitzgerald came into the field encompassed with the most signal advantages. His father is a gentleman of large estate, and had been long and deservedly popular in Ireland. Mr. Fitzgerald himself, inheriting a portion of the popular favor with a favorite name, had for twenty years been placed in such immediate contiguity with power,

that he was enabled to circulate a large portion of the influence of Government through this fortunate district. There is scarcely a single family of any significance among you which does not labor under Mr. Fitzgerald's obligations. At this moment it is only necessary to look at him, with the array of aristocracy beside him, in order to perceive upon what a high position for victory he was placed. He stands encompassed by the whole gentry of the County of Clare, who, as they stood by him in the hour of battle, come here to cover his retreat. Almost every gentleman of rank and fortune appears as his auxiliary; and the gentry, by their aspect at this instant, as well as by their devotedness during the election, furnish evidence that in his person their own cause was to be asserted.

"To this combination of favorable circumstances—to the promising friend, to the accomplished gentleman, to the eloquent advocate, at the head of all the patrician opulence of the county, what did we oppose? We opposed the power of the Catholic Association, and with that tremendous engine we have beaten the Cabinet Minister, and the phalanx of aristocracy by which he is surrounded, to the ground. Why do I mention these things? Is it for the purpose (God forbid that it should) of wounding the feelings or exasperating the passions of any man? No! but in order to exhibit the almost marvellous incidents which have taken place, in the light in which they ought to be regarded, and to present them in all their appalling magnitude. Protestants who hear me, gentlemen of the county Clare, you whom I address with boldness, perhaps, but certainly not with any purpose to give you offence, let me entreat your attention. A baronet of rank and fortune, Sir Edward O'Brien, has asked whether this was a condition of things to be endured; he has expatiated upon the extraordinary influence which has been exercised in order to effect these signal results; and, after dwelling upon many other grounds of complaint, he has with great force inveighed against the severance which we have created between the landlord and tenant.

"Let it not be imagined that I mean to deny that we have had recourse to the expedients attributed to us; on the con-

trary, I avow it. We have put a great engine into action, and applied the entire force of that powerful machinery which the law has placed under our control. We are masters of the passions of the people, and we have employed our dominion with a terrible effect. But, sir, do you, or any man here, imagine that we could have acquired this dreadful ability to sunder the strongest ties by which the different classes of society are fastened, unless we found the materials of excitement in the state of society itself? Do you think that Mr. Daniel O'Connell has himself, and by the single powers of his own mind, unaided by any external co-operation, brought the country to this great crisis of agitation? Mr. O'Connell, with all his talents for excitation, would have been utterly powerless and incapable, unless he had been allied with a great conspirator against the public peace; and I will tell you who that confederate is—it is the law of the land itself that has been Mr. O'Connell's main associate, and that ought to be denounced as the mighty agitator of Ireland. The rod of oppression is the wand of this potent enchanter of the passions, and the book of his spells is the Penal Code.* Break the wand of this

* It would swell these notes out of all proportion to attempt the biographies of such men as the Duke of Wellington. He was in the Irish Parliament in 1790, and voted for the extension of civil rights to the Catholics. The year after his return from India (in 1806), he was appointed Irish Secretary (his eldest son, the present Duke, was born, in Dublin, in 1807), and did not resign that office until 1809, when his active service in the Peninsula sufficiently occupied all his attention. When the war was ended, and the great soldier had to lay aside his sword, he adopted the Anti-Catholic views of the civilians with whom he was associated in the Government of the country. The result of Clare Election in 1828, showed him that concession or civil war must ensue, and he wisely adopted the former. Thomas Moore, who knew that

"Peace hath her victories, no less than War,"

introduced into one of his Irish Melodies, an address to Wellington, as prophetic as poetical:—

"And still the last crown of thy toils is remaining,
The grandest, the purest, even *thou* hast yet known;
Though proud was thy task, other nations unchaining,
Far prouder to heal the deep wounds of thy own.
At the foot of that throne, for whose weal thou hast stood,
Go, plead for the land that first cradled thy fame."

Although he granted what they desired, the Irish Catholics had little regard

political Prospero, and take from him the volume of his magic, and he will evoke the spirits which are now under his control no longer. But why should I have recourse to illustration which may be accounted fantastical, in order to elucidate what is in itself so plain and obvious?

"Protestant gentlemen, who do me the honor to listen to me, look, I pray you, a little dispassionately at the real causes of the events which have taken place among you. I beg of you to put aside your angry feelings for an instant, and believe me that I am far from thinking that you have no good ground for resentment. It must be most painful to the proprietors of this county to be stripped in an instant of all their influence; to be left destitute of all sort of sway over their dependents, and to see a few demagogues and priests usurping their natural authority. This feeling of resentment must be aggravated by the consciousness that they have not deserved such a return from their tenants; and as I know Sir Edward O'Brien to be a truly benevolent landlord, I can well conceive that the apparent ingratitude with which he was treated, has added to the pain which every landlord must experience; and I own that I was not surprised to see tears bursting at his eyes, while his face was inflamed with the emotions to which it was not in human nature that he should not give way. But let Sir Edward O'Brien and his fellow-proprietors, who are gathered about him, recollect that the facility and promptitude with which the peasantry have thrown off their allegiance, are owing not so much to any want of just moral feeling on the part of the people, as to the operation of causes for which the peo-

for "The Duke." They had got an idea that he had denied that he was an Irishman, and this was strengthened, in 1821, by his not accompanying George IV. on his visit to Ireland. The Duke of Wellington died, September 14, 1852, aged eighty-three.—It may be worth mentioning that shortly before his death, when the comparative merits of modern generals were discussed, the Duke said, "The greatest man of the lot, is Zachary Taylor, the American. In sight of the Mexicans, who had a vast superiority of men and artillery, he held a council of war, and the general opinion was that he should not risk a contest. 'Gentlemen,' said Taylor, 'I adjourn this council, until tomorrow—*after the battle.*' He won the battle against immense odds, and had great courage to run the risk, against advice. *That* was a true commander."—M.

ple are not to blame. In no other country, except in this, would such a revolution have been effected. Wherefore?—Because in no other country are the people divided by the law from their superiors, and cast into the hands of a set of men, who are supplied with the means of national excitement by the system of government under which we live.

"Surely no man can believe that such an anomalous body as the Catholic Association could exist, excepting in a community which had been alienated from the state by the state itself. The discontent and the resentment of seven millions of the population have generated that domestic government, which sways through the force of public opinion, and uses the national passions as the instruments for the execution of its will. From that body there has now been issuing, for many years, a continuous supply of exciting matter, which has overflowed the nation's mind. The lava has covered and inundated the whole country, and is still flowing, and will continue to flow, from its volcanic source. But, if I may so say, the Association is but the crater in which the fiery matter finds a vent, while its fountain is in the depth of the law itself. It would be utterly impossible, if all men were placed upon an equality of citizenship, and there was no exasperating distinctions among us, to create any artificial causes of discontent. Let men declaim for a century with far higher powers than any Catholic agitator is endowed with, and if they have no real ground of public grievance to rest upon, their harangues will be empty sound and idle air. But when what they tell the people is true—when they are sustained by substantial facts, then effects are produced, of which what has taken place at this election is only an example. The whole body of the people being previously inflamed and rendered susceptible, the moment any incident, such as this election, occurs, all the popular passions start simultaneously up, and bear down every obstacle before them. Do not, therefore, be surprised that the peasantry should thus at once throw off their allegiance to you, when they are under the operation of emotions which it would be wonderful if they could resist. The feeling by which they are now actuated, would make them not only vote against

their landlords, but would make them rush into the field, scale the batteries of a fortress, and mount the breach; and, gentlemen, give me leave now to ask you, whether, after a due reflection upon the motives by which your vassals (for so they are accounted) are governed, you will be disposed to exercise any measure of severity in their regard?

"I hear it said, that before many days go by, there will be many tears shed in the hovels of your slaves, and that you will take a terrible vengeance of their treason. I trust in God that you will not, when your own passions have subsided, and your blood has had to cool, persevere in such a cruel, and, let me add, such an unjustifiable determination. Consider, gentlemen, whether a great allowance should not be made for the offence which they have committed. If they are, as you say they are, under the influence of fanaticism, I would say to you, that such an influence affords many circumstances of extenuation, and that you should forgive them, 'for they know not what they do.' They have followed their priests to the hustings, and they would follow them to the scaffold. But you will ask, wherefore should they prefer their priests to their landlords, and have purer reverence for the altars of their religion, than for the counter in which you calculate your rents? Ah, gentlemen, consider a little the relation in which the priest stands toward the peasant. Let us put the priest into one scale, and the landlord into the other, and let us see which should preponderate?

"I will take an excellent landlord and an excellent priest. The landlord shall be Sir Edward O'Brien, and the priest shall be Mr. Murphy of Corofin. Who is Sir Edward O'Brien? A gentleman who has a great fortune, who lives in a splendid mansion, and who, from the windows of a palace, looks upon possessions almost as wide as those which his ancestors beheld from the summit of their feudal towers. His tenants pay him their rent twice a-year, and they have their land at a moderate rate. So much for the landlord. I now come to Father Murphy of Corofin. Where does he reside? In an humble abode, situated at the foot of a mountain, and in the midst of dreariness and waste. He dwells in the midst of his parish-

ioners, and is their benefactor, their friend, their father. It is not only in the actual ministry of the sacraments of religion that he stands as an object of affectionate reverence among them. I saw him, indeed, at his altar, surrounded by thousands, and felt myself the influence of his contagious and enthusiastic devotion. He addressed the people in the midst of a rude edifice, and in a language which I did not understand; but I could perceive what a command he has over the minds of his devoted followers. But it is not merely as the celebrator of the rites of Divine worship that he is dear to his flock; he is their companion, the mitigator of their calamities, the soother of their afflictions, the trustee of their hearts, the repository of their secrets, the guardian of their interests, and the sentinel of their death-beds. A peasant is dying: in the midst of the winter's night, a knock is heard at the door of the priest, and he is told that his parishioner requires his spiritual assistance: the wind is howling, the snow descends upon the hills, and the rain and storm beat against his face; yet he goes forth, hurries to the hovel of the expiring wretch, and, taking his station beside the mass of pestilence of which the bed of straw is composed, bends to receive the last whisper which unloads the heart of its guilt, though the lips of the sinner should be tainted with disease, and he should exhale mortality in his breath.

"Gentlemen, this is not the language of artificial declamation—this is not the mere extravagance of rhetorical phrase. This, every word of this, is the truth—the notorious, palpable, and unquestionable truth. You know it, every one of you know it to be true; and now let me ask you can you wonder for a moment that the people should be attached to their clergy, and should follow their ordinances as if they were the injunctions of God? Gentlemen, forgive me, if I venture to supplicate, on behalf of your poor tenants, for mercy to them. Pardon them, in the name of that God who will forgive you your offences in the same measure of compassion which you will show to the trespasses of others. Do not, in the name of that Heaven before whom every one of us, whether landlord, priest, or tenant, must at last appear—do not prosecute these poor

people: don't throw their children out upon the public road—don't send them forth to starve, to shiver, and to die!

"For God's sake, Mr. Fitzgerald and for your own sake, and as you are a gentleman and a man of honor, interpose your influence with your friends, and redeem your pledge. I address myself personally to you. On the first day of the election you declared that you would deprecate all persecution by the landlords, and that you were the last to wish that harsh and vindictive measures should be employed. I believe you; and now I call upon you to redeem that pledge of mercy, to fulfil that noble engagement, to perform that great moral promise. You will cover yourself with honor by so doing, in the same way that you will share in the ignominy that will attend upon any expedients of rigor. Before you leave this country to assume your high functions, employ yourself diligently in this work of benevolence, and enjoin your friends, with that eloquence of which you are the master, to refrain from cruelty, and not to oppress their tenants. Tell them, sir, that instead of busying themselves in the worthless occupation of revenge, it is much fitter that they should take the political condition of their country into their deep consideration. Tell them that they should address themselves to the Legislature, and implore a remedy for these frightful evils. Tell them to call upon the men, in whose hands the destiny of this great empire is placed, to adopt a system of conciliation and of peace, and to apply to Ireland the great canon of political morality which has been so powerfully expressed by the poet—'*Pacis imponere morem.*' Our manners, our habits, our laws, must be changed. The evil is to be plucked out at the root. The cancer must be cut out of the breast of the country. Let it not be imagined that any measure of disfranchisement, that any additional penalty, will afford a remedy. Things have been permitted to advance to a height from which they can not be driven back.

"Protestants, awake to a sense of your condition. Look round you. What have you seen during this election? Enough to make you feel that this is not mere local excitation, but that seven millions of Irish people are completely arrayed and organized. That which you behold in Clare, you would behold,

under similar circumstances, in every county in the kingdom. Did you mark our discipline, our subordination, our good order, and that prophetic tranquillity which is far more terrible than any ordinary storm? You have seen sixty thousand men under our command, and not a hand was raised, and not a forbidden word was uttered, in that amazing multitude. You have beheld an example of our power in the almost miraculous sobriety of the people. Their lips have not touched that infuriating beverage to which they are so much attached, and their habitual propensity vanished at our command. What think you of all this? Is it meet and wise to leave us armed with such a dominion? Trust us not with it; strip us of this appalling despotism; annihilate us by concession; extinguish us with peace; disarray us by equality; instead of angry slaves, make us contented citizens: if you do not, tremble for the result!"

THE PENENDEN HEATH MEETING.

Anxious to witness the great assembly of "the men of Kent," of which the High-Sheriff had called a meeting (having appointed twelve o'clock upon Friday the 24th for the immense gathering), I proceeded from Rochester to Maidstone at an early hour.* Upon my way, I saw the evidences of prodigious

* The Repeal of the Test and Corporation Acts, early in 1828, with little more than a shadow of resistance from the Wellington Ministry, was a sort of political "writing on the wall," to the Protestant Ascendency people throughout the United Kingdom. To check any further concessions, particularly as the Catholics had more and juster claims than the Dissenters, it was resolved to establish Brunswick Clubs, which were practically much the same, *minus* the secret oaths and obligations, as the Orange Lodges, put down by a prohibitory and penal statute in 1825. The Duke of Cumberland (brother of the reigning sovereign) was the patron of these associations, and Lords Winchilsea, Kenyon, and other persons of rank and property, were openly members. Clare Election, ending July 5, 1828, on the victory of O'Connell, a Catholic, excited the anger and apprehension of these ultra-Protestant agitators, who determined to hold public meetings, in defence of Protestant Ascendency in all the English counties. The first of these came off in Kent, on the 24th of October, 1828, on Penenden Heath, and from twenty thousand to thirty thousand persons were present. Mr. Sheil, whose graphic description brings the scene before us, happened in London when the meeting was about taking place, and several friends of civil and religious liberty strongly pressed him to attend, as a speaker, confident that he might thereby advance the cause which they had at heart. He consented, prepared a long and elaborate speech, obtained the small landed qualification requisite to allow him to address the meeting as a freeholder, and proceeded to Penenden Heath, where the clamor was so great that he could utter only a few sentences, though what he intended to say was printed, and distributed far and wide. The Penenden Heath Meeting, however, did not encourage similar attempts elsewhere, and Protestant Ascendency made no further public display until February, 1829, when Catholic Emancipation was proposed as a Government measure.—The newspapers of the day amused them-

exertion to call the yeomanry together, and from the summit of a hill that surmounts a beautiful valley near Maidstone, I beheld a long array of wagons moving slowly toward the spot which had been fixed by the High-Sheriff for the meeting. The morning was peculiarly fine and bright, and had a remnant of "summer's lingering bloom;" and the eye, through the pure air, and from the elevated spot on which I paused to survey the landscape, traversed an immense and glorious prospect. The fertile county of Kent, covered with all the profusion of English luxury, and exhibiting a noble spectacle of agricultural opulence, was before me; under any circumstances the scene would have attracted my attention, but, upon the occasion on which I now beheld it, it was accompanied by circumstances which greatly added to its influence, and lent to the beauty of nature a sort of moral picturesque. The whole population of an immense district seemed to have swarmed from their towns and cottages, and filled the roads and avenues which led to the great place of political rendezvous. In the distance lay Penenden Heath; and I could perceive that, long before the hour appointed by the Sheriff for the meeting, large masses had assembled upon the field, where the struggle between the two contending parties was to be carried on.

After looking upon this extraordinary spectacle, I proceeded on my journey. I passed many of "the men of Kent," who were going on foot to the meeting;* but the great majority were conveyed in those ponderous teams which are used for the purposes of conveying agricultural produce: and, indeed, "the men of Kent," who were packed up in those vehicles, seemed almost as unconscious as the ordinary burdens with which their heavy vehicles are laden. The wagons went on in their dull and monotonous rotation, filled with human beings,

selves with ridiculing Mr. Sheil's printed but unspoken oration; the public, however, perused it eagerly, and multitudes of copies were circulated all over the Kingdom. This is included in the volume of Sheil's published speeches, and is in every way worthy of his great reputation for political rhetoric.—M.

* There is a difference between Men of Kent and Kentish men. The former are locally accounted superior to the latter. A Kentish man, is a native of Kent county, born north of the river Medway; a "Man of Kent" comes from the district south of that river, which includes two thirds of that county.—M.

whose faces presented a vacant blank, in which it was impossible to trace the smallest interest or emotion. They did not exchange a word with each other, but sat in their wagons, with a half-sturdy and half fatuitous look of apathy, listening to the sound of the bells which were attached to the horses by which they were drawn, and as careless as those animals of the events in which they were going to take a part. It was easy, however, to perceive to which faction they belonged; for poles were placed in each of these wagons, with placards attached to them, on which directions were given to the loads of freeholders to vote for their respective proprietors. I expected to have seen injunctions to vote for Emancipation, or for the Constitution, or against Popery and Slavery. These ordinances would, in all likelihood, have been above the comprehension of "the men of Kent;" and, accordingly, the more intelligible words, "Vote for Lord Winchilsea," or "Vote for Lord Darnley,"* were inscribed upon the placards.

I proceeded to my place of destination, and reached Penenden Heath. It is a gently-sloping amphitheatrical declivity, surrounded with gradually-ascending elevations of highly-cultivated ground, and presenting in the centre a wide space, exceedingly well calculated for the holding of a great popular assembly. On arriving, I found a great multitude assembled at about an hour before the meeting. A large circle was formed, with a number of wagons placed in close junction to each other, and forming an area capable of containing several thousand persons. There was an opening in the spot immediately opposite the Sheriff for the reception of the people, who were pouring into the enclosure, and had already formed a dense mass. The wagons were laden with the better class of yeomen, with the gentry at their head. A sort of hustings was

* John Stuart Bligh, fourth Earl of Darnley, was born in 1767, and died in 1831. In 1829, he claimed the Scottish Dukedom of Lennox, as next heir, in default of male issue for the last of the Stuarts. Cardinal York, who died in 1807 and was the next-of-kin (legitimate) of King Charles II., had been duly served heir to the peerage. The House of Lords have not come to a decision on this claim. The Darnley property in Kent, is Chobham Hall, near Gravesend. The Earldom is Irish, but its holder sits in the Lords, for his English barony of Clifton.—M.

raised for the Sheriff and his friends, with chairs in the front, and from this point the wagons branched off in two wings—that on the left of the Sheriff being allotted to the Protestant, and the right having been appropriated to the Catholic party. The wagons bore the names of the several persons to whom they belonged, and were designated as "Lord Winchilsea's," or "Lord Darnley's," or as "The Committee's," and ensigns were displayed from them which indicated the opinions of their respective occupiers.

The moment I ascended one of the wagons, where all persons were indiscriminately admitted, I saw that the Protestants, as they called themselves, had had the advantage in preparation, and that they were well arrayed and disciplined. Of this the effects produced by Lord Winchilsea's arrival afforded strong proof; for the moment he entered, there was a simultaneous waving of hats by his party, and the cheering was so well ordered and regulated, that it was manifest that every movement of the faction was preconcerted and arranged. The appearance of Lord Darnley, of Lord Radnor,* and the other leaders of the Catholic party, was not hailed with the same concurrence of applause from their supporters; not that the latter were not warmly zealous, but that they had not been disciplined with the same care.

I anxiously watched for the coming of Cobbett and of Hunt I not only desired to see two persons of whom I had heard so much, but to ascertain the extent of their influence upon the public mind. Cobbett, I understood, had, before the meeting took place, succeeded in throwing discord into the ranks of the liberal party. He had intimated that he would move a petition against tithes. To this Lord Darnley vehemently objected, and asked very reasonably how he could, as a peer of

* William Pleydell Bouverie, third Earl of Radnor, was born in 1779, and sat in the House of Commons, from an early age until 1828. He was known, as a Commoner, by his courtesy title of Viscount Folkstone, during his father's life. He took a leading part, in 1809, in the investigation of the charges against the late Duke of York, of having allowed Mary Anne Clarke, his mistress, to dispose of commissions in the army, by her influence. Whither in the Upper or Lower House, the speeches and votes of Lord Radnor have generally been in aid of the liberal cause.—M.

the realm, co-operate in such a proposal. Several others, however, although they greatly disapproved of Cobbett's proposition in the abstract, were disposed to support any expedient which would have the effect of extinguishing the Brunswick faction. It had therefore been decided first, to try whether the Brunswick measure could not be got rid of without having recourse to any substitute, and, in the event of failing in that course, to sustain Cobbett's amendment. Cobbett had dined the preceding day at Maidstone, with about a hundred farmers, and had been very well received. He there gave intimations of his intended proposition against the Church. His friends said that he had devoted great care to his petition, and that he plumed himself upon it. I thought it exceedingly probable that he would succeed in carrying his measure, especially as he had obtained a signal triumph at a meeting connected with the Corn-Laws, and borne down the gentry before him. These anticipations had greatly raised my curiosity about this singular person, and I watched the effect which his coming should produce with some solicitude.

He at length arrived. Upon his entering the enclosure, I heard a cry of "Cobbett, Cobbett!" and turning my eyes to the spot from which the exclamation came, I perceived less sensation than I had expected to find.* Some twenty of the

* William Cobbett, son of a small farmer in Sussex, was born in 1762, and enlisted as a private soldier, when he was about two-and-twenty years old. He was sent with his regiment to British North America; diligently educated himself as an English scholar; was raised by his good conduct to the rank of sergeant-major; obtained his discharge (with good-service certificate) after seven years' service; returned to England, and went to France to perfect himself in French; thence came to the United States, where, writing under the *soubriquet* of "Peter Porcupine," he got into hot water; he again returned home, and supported the Government in a daily paper called the *Porcupine;* changed that publication into *Cobbett's Weekly Register*, in which he assailed the Ministry, with much continuity and force; was prosecuted, and fined repeatedly, but most heavily for comments on the illegal flogging of some militia-men at Ely, for which he had to undergo two years' imprisonment, with a fine of one thousand pounds sterling; continued his *Register*, however, during his confinement, and until what were called the "Six Acts" were passed to check him; came back to America, whence his *Register*, still published in London, was duly supplied with "copy," until his final return to England in 1819, bringing with

lowest class of freeholders made some demonstration of pleasure at his appearance, and followed him as he made his way toward a wagon on the right of the Sheriff. He was dressed in a gray frieze coat, with a red handkerchief, which gave him a very extraordinary aspect, and presented him in contrast with the body of those who occupied the wagons, who, on account of the public mourning, were dressed in black. He seemed in excellent health and spirits, for his cheeks were almost as ruddy as his neckcloth, and set off his white hair, while his eyes sparkled at the anticipation of the victory which he was confident that he should obtain. He seemed to me to

him the bones of Thomas Paine; successfully contested the representation of Coventry, in 1820, and of Preston, in 1826; warmly supported the French Revolution of July, 1830; was tried, in July, 1831, for the publication of "a libel, with intent to raise discontent in the minds of the laborers in husbandry, and to excite them to acts of violence, and to destroy cornstacks, machinery, and other property;" defended himself so ably and boldly, that the jury declined agreeing on a verdict of conviction; and thus allowed him a victory over Lord Grey's Ministry, who had prosecuted him. From that hour, his attacks on the Grey Ministry were untiring. He travelled all over the country, lecturing against them, and always with success. He continued his weekly attacks on them, in his *Register*, and his exposure of ministerial nepotism and grasping selfishness, as evidenced by "The Grey List," or schedule of places and sinecures distributed among members and connections of the family of Earl Grey, had a mighty influence in throwing that nobleman into the cold shade of unpopularity, after the Reform Bill excitement had subsided. In December, 1832, Cobbett was elected M. P. for Oldham, in Lancashire, under the Reform Bill. He was constant in his attendance, and a good man of business, but did not succeed in Parliament—a motion of his for the impeachment of Sir Robert Peel was a signal failure. The late hours and unwholesome atmosphere of the House told against one who used to boast of rising at four and going to bed at nine. In May, 1835, he was suddenly attacked with a disease of the throat, which eventuated in his death, on June 17, 1835, aged seventy-three. In July, 1852, his second son, John Morgan Cobbett, was elected member for Oldham, which he had unsuccessfully contested in July, 1835, on his father's death, as well as in July, 1847.—William Cobbett was an inconsistent politician, very much swayed by impulse and personal feeling, but, self-taught as he was, no English writer of his time was master of a purer style of writing. Southey, the poet, told me, in 1836, that since the time of Jeremy Taylor, no man had written such pure, homely, and expressive English as William Cobbett. He had a great love of the country, and some of his descriptions are landscapes in words. A curious vein of egotism ran through all his writings, and, strangely enough, formed one of their leading attractions.—M.

mistake the following and acclamation of a few of the rabble for the applauses of the whole meeting. When, however, he ascended the wagon, and stood before the assembly, he ought to have discovered that he did not stand very high in the general favor; for while the circle about him cheered him with rather faint plaudits, the moment his tall but somewhat fantastical figure was exhibited to the meeting, he was assailed by the Brunswickers with the grossest insults, which, instead of exciting the anger, produced a burst of merriment among the Catholic party. "Down with the old bone-grubber!"—"Oh, Cobbett, have you brought Burdett along with you?"—"Where's your gridiron?"—"Will you pay Burdett out of the next crop of Indian corn?" These, and other contumelies, were lavished upon him by a set of fellows who were obviously posted in the meeting, in order to assail their antagonists and beat them down. Cobbett was so flushed with the certainty of success, and so self-deluded by his egregious notions of his own importance, that his temper was not at first disturbed, but, looking down triumphantly to those immediately about him, and drawing forth a long petition, told them that he had brought them something that should content them all. I surveyed him attentively at this moment.

Cobbett is generally represented as a man of rather a clownish-looking demeanor; and I have read, in some descriptions of him, that he could not, at first view, suggest any notion of his peculiar intellectual powers. I do not at all agree in the opinion. He has certainly a rude and rough bearing, and affects a heedlessness of form, amounting to coarseness and rusticity. But it is only requisite to look at him, in order to see in the expression of his countenance the vigorous mind with which he is endowed. The higher portion of his face is not unlike Sir Walter Scott's, to whom he bears, especially about the brow, a resemblance.* His eyes are more vivid

* There were several points of personal resemblance between Scott and Cobbett—so much so that when I first saw Cobbett, in 1830, I mistook him for Sir Walter, whose acquaintance I had made, some time before, on his visit to Ireland. Scott was taller and more erect; Cobbett looked like a plain, well-to-do farmer. The expression of Scott's face indicated shrewdness and sagacity; that

than the great author's, while the lower part of his countenance is expressive of fierce and vehement emotions. His attire and aspect certainly suggest, at first view, his early occupations, and the predilections of his later life (for he is more attached to agriculture than to politics); but whoever looks at him narrowly will see the impress of intellectual superiority upon his countenance, and perceive, under his rude bearing, the predominance of mind. When he first addressed the people, he was in exceedingly good humor; and as he snapped his fingers, and cried out, "Emancipation is all roguery!" the laugh which the recollection of his own devotedness to the Catholic cause created, was echoed by his own merriment, and he seemed to enjoy his political inconsistency as an exceeding good joke. He told the people that he was well aware that the Sheriff intended to adjourn the meeting, but that he would stay there, and hold a meeting himself.

Next to Cobbett stood the great leader of the radicals, Mr. Hunt.* A reconciliation has been recently effected between

of Cobbett's denoted more of cunning—the look of a man determined not to be taken in. Both wore very plain attire, and I never saw gloves with either. Cobbett dressed like a Surrey farmer: Scott like a Border laird.—M.

* Henry Hunt, for a long time the leader of the Radical Reform movement in England (hence the title of "Radicals"), was originally a farmer in Wiltshire. In his youth, he was such a strong loyalist, that, in 1801, when Napoleon threatened to invade England, which threat did "fright the isle out of its propriety," he offered the whole of his stock, valued at twenty thousand pounds sterling, for the use of the Government, if needed, and engaged to enter, with three of his servants all well mounted and equipped at his own cost, as volunteers into any regiment of horse that might make the first charge upon the enemy. He joined the Marlborough troop of cavalry yeomanry, but a dispute with Lord Bruce, its commander, caused him to challenge that officer, for which he was tried, fined one hundred pounds, and imprisoned for six weeks. From this time he joined the party who demanded radical reform of all abuses in Church and State. In August 16, 1819, he presided at a reform meeting in St. Peter's fields, Manchester, where the Magistrates interrupted the proceedings by sending mounted yeomanry among the unarmed multitude, shooting and sabring them in a brutal manner. This has long been called "The Massacre of Peterloo." The murdering magistrates escaped with impunity, but Hunt was indicted as the ringleader of an unlawful assembly of the people, tried, convicted, and sentenced to three years' imprisonment in Ilchester jail. He subsequently attempted to drive a trade by selling ground roasted corn, as a

them, and they stood together in the front of the same wagon before the people. I was surprised to find in Mr. Hunt, a man of an exceedingly mild and gentle aspect, with a smooth and almost youthful cheek, a bright and pleasant eye, a sweet and urbane smile, and altogether a most gentlemanlike and disarming demeanor. His voice too is exceedingly melodious, and as soft as his manners. This Gracchus of Manchester is utterly unlike the picture which the imagination is apt to form of a tribune of the people; and, indeed, I do not consider him to possess the external qualifications of a great demagogue, though he is certainly endowed with that plain and simple eloquence which is so peculiarly effective with an English multitude. Near Hunt and Cobbett, the Pylades and Orestes of radicalism, stood Counsellor French,* an Irish Catholic barrister, who is now a proselyte among the reformers, but seems to have many of the qualities necessary to constitute an apostle in the cause, and is likely one day to set up for himself.

In the wagon next that in which Cobbett, Darrel, and Hunt,

substitute for coffee, but the Excise interfered. Finally, he settled down into a large manufacturer of "Hunt's Matchless Blacking." He made several attempts to obtain a seat in Parliament, but was unsuccessful at Bristol, Westminster, and Somersetshire. At last, in the borough of Preston, in Lancashire, the potwallopers (every man who boiled a pot within its limits) elected him in 1830 and again in 1831 — the first time rejecting their previous member, Mr. Stanley (Earl of Derby, in 1854) whose family had long all but nominated the members. Mr. Hunt, a popular open air speaker, by no means made his mark in the legislature, but was quiet, and subdued, though consistent in the liberality of his votes. He was nearly sixty years old when he entered Parliament, and was too old to accommodate himself to its routine and requirements. In the election of 1832, following the enactment of the Reform Bill, the electors of "proud Preston," as the smoky place is called, did not re-elect Mr. Hunt He died in February, 1835, aged sixty-two. In person he was tall and muscular. His oratory was singularly devoid of ornament, but he had a plain way of putting facts, argument, and assertions, before his auditory, which had immense force. He published his own Memoirs, while in prison, but their literary merit was small. At one time, he was the most popular man in England, and his summons would have collected a hundred thousand men, in the suburbs of London alone.— M.

* Counsellor French, who was a strong Catholic, held a public discussion at Hammersmith, London, on points of religious faith and practice, with a Minister of the Scotch Church, named Cumming. This was many years after Emancipation was granted. Both claimed the victory — of course.— M.

were placed, sat Mr. Sheil, the Irish demagogue. This gentleman was said, by some people, to have been sent over by the Association; while others asserted, that he had of his own accord embarked in the perilous enterprise of addressing "the Men of Kent." There was a feeling of curiosity, mingled with disrelish, produced by his appearance there. The English Catholics had endeavored to dissuade him from the undertaking; and Mr. Darrel, a gentleman of property in the county, was particularly anxious that he should not attempt to speak. Lord Darnley was also very adverse to this adventurous step, and so far from having given Mr. Sheil a freehold, had intimated, I heard, that the death-bed of the Duke of York was not yet so much forgotten, that Mr. Sheil should venture into such an assembly.* That gentleman sat in one of the wagons, apparently careless of the impression which he should produce; but his pale and bilious face, in which discontent and solicitude, mingled with a spirit of sardonic virulence, are expressed, and his restless and unquiet eye, gave indications that he was annoyed at the opprobrious epithets which were showered upon him, and that he was anxious about the event, as it should personally affect himself. There is certainly in Mr. Sheil's face and person little to bespeak the favor of a public assembly; and if he produces oratorical effects, he must be indebted to a power of phrase, and an art in delivery, of which, in the uproar in which he spoke, it was impossible in that meeting to form any estimate. Next to Mr. Sheil was the wagon appropriated to the Committee, where there were some English Catholics; and Lord Darnley's and Lord Radnor's wagons succeeded.

The opposite wing was, as I have mentioned, occupied by

* When the Duke of York was dying, two years after he had sworn, "So help me God," that he never would consent to any measure of Catholic Emancipation, Mr. Sheil endeavored "to point a moral" from the approaching funeral of him who had raised his hand to heaven against the speaker's country, and concluded by saying that, the solemn pageant ended, "the business, and pursuits, and all the frivolities of life will be resumed; and the heir to three kingdoms will be in a week forgotten; we, too, shall pardon and forget him." There was a great outcry against this speech, at this time, and the Brunswick Clubs fanned the angry flame, as best they could.—M

the Brunswickers, of whom by far the most conspicuous was Lord Winchilsea. He is a tall, strong-built, vigorous-looking man, destitute of all dignity or grace, but with a bluff, rude, and direct nautical bearing, which reminds one of the quarter-deck, and would lead you to suppose that he was the mate of a ship (a conjecture which a black silk handkerchief tied tightly about his neck, tends to assist) rather than an hereditary Counsellor of the Crown. Whatever feelings of partiality his late conduct may have generated toward him with his own faction, he is certainly not popular in the county; for he is the terror of poachers, and is most arbitrary in the enforcement of the game laws. It is but justice to him to say, that he has, upon one or two occasions, when he has detected poachers upon his estate, given them the alternative of going to prison or fighting with him; for to his political he superadds no inconsiderable pugilistic qualifications. He seems very well qualified to lead an English mob, and possesses, in a far greater perfection than Hunt or Cobbett, the demagogic qualities of voice, which gave him, at Penenden Heath, a great advantage over his opponents.* Before the chair was taken, he was actively engaged in marshalling his troops, and cheering them on to battle, and it was manifest that he felt all the excitement of a leader engaged in a cause, upon the issue of which his own political importance was depending. I did not remark any persons of rank about him, and, indeed, the Protestant was conspicuously inferior in this particular to the Catholic wing. There were, however, on the left side, a number of persons, in whom it was easy to recognise the sacerdotal physiognomy, of far more influence than noblemen could have been; the whole body of the Kent Clergy were marshalled for the occasion; and not only the priests of the established religion, but many of the

* George Finch Hatton, tenth Earl of Winchilsea and Nottingham, was born in 1791, and succeeded to the title in 1826. His place in Kent, is Eastwell Park. He has always been much opposed, polemically and politically, to the Catholics. In 1829, having published a letter in which he imputed to the Duke of Wellington a desire to introduce popery into every department of the state, the Duke called on him to retract and apologize, and, on refusal to do so, was challenged by his Grace, and a duel ensued, in which neither combatant was hit.—In youth, from his loud voice, the Earl was called "Roaring Hatton."—M.

dissenting preachers of the Methodist school, were arrayed under the Winchilsea banners. It was easy to recognise them even amid the crowd of men habited in black, by their lugubrious and dismal expression. The clergy at the meeting were so numerous, that the Protestant side had much more a clerical than an agricultural aspect.

The different parties being thus distributed, and every wagon having been occupied, and the whole of the area within the enclosure having been filled by the dense crowd, the Sheriff, Sir T. Maryon Wilson,* appeared exactly at twelve o'clock, and took the chair. He seemed to me, from the distance at which I saw him, a young man, quite untutored in the business of public meetings; but he had beside him his subsheriff, Mr. Scudamore, who appeared to have all the zeal by which his employer was actuated in the cause of Protestantism, and to be perfectly well-versed in the stratagems by which an advantage may be given to one party, without affording to the other the opportunity of complaining of any very gross breach of decorum. This gentleman had a coarse, red-whiskered, and blunt face, of the Dogberry character, in which a vulgar authoritativeness was combined with those habits of submission to his superior, which are generally found in subordinate functionaries.

The High-Sheriff having taken his station, delivered a brief speech, in which he stated the object of the meeting to be the adoption of such measures as should be deemed most advisable for the support of the church establishment; and he concluded by enjoining the assembly to hear all parties, a precept which he certainly exhibited no very great solicitude to embody in his own conduct. A letter from the brother of Mr. Honeywood was then read, in which an excuse was made for that gentleman upon the ground of indisposition (it was well known that

* Sir Thomas Maryon Wilson, who, as High Sheriff of Kent, was "first man in the county" in 1828, was born in 1800; owns a property in Kent, called Charlton House; and has been chiefly noted, of late years, by his constant efforts to obtain the enactment of a Parliamentary statute allowing him to enclose, for his own use and profit, a great part of Hampstead Heath, near Highgate, which is now the common property of the London public, and is used by them for purposes of healthful recreation.—M.

he was adverse to the objects of the meeting), and then Mr. Gipps rose to move the petition. I found it difficult to ascertain exactly who he was; but thus far I learned, that he is not a man of influence or weight from property in the county, and, indeed, I could see no motive for putting him in the foreground, excepting that he has a clear and distinct voice, which, in a less clamorous assembly, would have been probably heard by a considerable part of the meeting. He dwelt upon a variety of the common topics which are pressed into the service of Anti-catholicism, but gave no novelty by any unusual display of diction to the old arguments against Popery. He seemed himself to chuckle at what he conceived to be a peculiarly jocular and picturesque representation of Mr. O'Connell, at the Clare election, bowing down to receive the benediction of a Bishop, forgetting that it was hardly stranger on the part of Mr. O'Connell to go through, what is, after all, I believe, a common form with pious Roman Catholics, than for a Duchess to print her beautiful lips on the black and bearded mouth of a coal-heaver, in order to obtain a vote for Mr. Fox.* I am surprised that this parallel was not adduced in Mr. O'Connell's defence. After Mr. Gipps had expended himself in a monotonous and wearisome diatribe against the Catholic religion, he proceeded to read a petition, which the liberal party had anticipated would have prayed distinctly against all concessions to the Roman Catholics. To their surprise, it was couched in the following words:—

* Georgiana, Duchess of Devonshire, whose [reputed?] son is the present Duke, was a very clever, charming, and (though her hair was of the color between golden and red) beautiful woman. She was a leader of the fashionable world of London, for many years. She was married at the early age of seventeen, and her house became a sort of political meeting-place for the old Whig leaders. She wrote poetry—and Coleridge eulogized the "heroic measure" of her "Passage of Mont St. Gothard." She composed music also, and patronized painters and sculptors. During the great Westminster Election, in which Fox, "the Man of the People," was a candidate, she personally canvassed for him. The story alluded to by Mr. Sheil was that having asked a coal-heaver to vote for Fox, he said, "Yes, if you will kiss me," and that, putting a guinea between her lips, she allowed him to take kiss and coin at the same time, on which he voted for Fox!—The Duchess, albeit much talked about, is believed to have been a virtuous wife. She died in 1806, aged forty nine.—M.

"Your Petitioners beg leave to express to your Honorable House, their sense of the blessings they enjoy under the Protestant Constitution of these Kingdoms, as settled at the Revolution, viewing with the deepest regret the proceedings which have for a long time been carrying on in Ireland.

"Your Petitioners feel themselves imperatively called upon to declare their strong and inviolable attachment to those Protestant principles, which have proved to be the best security for the civil and religious liberty of these Kingdoms.

"They therefore approach your Honorable House, humbly but earnestly praying that the Protestant Constitution of the United Kingdom may be preserved entire and inviolable."

The phraseology of this petition, from its moderate character, excited some surprise; and it was justly said that no Protestant could object to the matter for which it ostensibly purported to pray. The compatibility of concession to the Catholics with the entirety and inviolability of the Protestant Church, has been always maintained, by not only the Protestant, but Catholic advocates of their claims. This subdued tone of the petition gave distinct proof that the Clubbists calculated upon a strong opposition to any more forcible interference with the legislature. The object, however, of the Clubbists was obvious, and the petition was resisted, not so much upon the ground of its containing anything in itself very objectionable, as that the intent of the petitioners themselves was avowed.

A Mr. Plumtre* seconded Mr. Gipps. It was said that he was a Calvinist, and he certainly had the aspect which we might suppose to have been worn by the founder of his religion

* In 1828, Mr. Plumtre was one of the parliamentary representatives of Kent, and ultra-illiberal in his politics and religion. He properly belonged to a small but compact body in the House of Commons, called "The Saints." He was a well-meaning, foolish-acting, absurd-speaking man — a sort of parliamentary Malvolio.—M

when he ordered Servetus to be consumed by a slow fire. He said nothing at all worth note.

When Mr. Plumtre sat down, Lord Camden addressed the Sheriff.* He occupied a peculiar station. Instead, as was observed in one of the morning papers, of taking his place upon the right side, and bringing up his tenants in a body, he came unattended, and selected a place upon the hustings near the Sheriff. He deprecated all kinds of partisanship in the course which he took in the proceedings; and certainly his deportment and look indicated that it was with no other feeling than one of duty, and without any kind of struggle for superiority, that he had mingled in the contest. I do not know whether it was his office as Lord Lieutenant of the County that procured him a patient hearing from both sides, or whether, before their passions were strongly excited, they forbore from offering an indignity to a person who from his age and rank derived a title to universal respect. He was the only person who was heard with scarcely any interruption.

His speech was exceedingly well delivered, in a surprisingly clear, sonorous, and audible intonation. He condemned the conduct of the Catholics in the language of vehement vituperation, but at the same time pointed out the extreme violence with which their demands were resisted. The only circumstance in his speech worth recording is, that he mentioned his belief that some measure of concession was intended by Government. This attracted great attention; and it is difficult to

* The Marquis Camden deserves a passing notice, were it only to commemorate his praiseworthy conduct, as a sinecurist. He was son of the great Earl Camden, Lord Chancellor of England, 1766–'70. He was born in 1759, educated at Cambridge, entered the House of Commons in 1780; and, in the same year, was appointed one of the Tellers of the Exchequer, a lucrative sinecure. He succeeded his father in the Earldom in 1794; and soon after went, as Lord-Lieutenant of Ireland. In 1804, he became a Cabinet Minister, and quitting office on the death of Pitt, resumed it on the downfall of the Grenville administration. He was rewarded with a Marquisate in 1812, and, when an outcry was raised against sinecures, resigned for the public good about thirty thousand pounds sterling a year, out of the proceeds of his tellership. The whole amount so surrendered amounted to about two hundred and fifty thousand pounds. He was Lord-Lieutenant, custos-rotulorum, and vice-admiral of Kent and died in 1840, aged eighty-one.—M.

conceive how a person, so prudent and so calm as Lord Camden manifestly is, would have intimated any belief of his upon the subject, unless there were some foundation on which something more substantial than a mere conjecture could be raised. Toward the end of his speech the Clubbists became exceedingly impatient, and one of them called him "an old Radical;" a term of which he protested that he was at a loss to discover the applicability, as he had never done anything to please the Radicals. This Mr. Hunt afterward controverted, and insisted that he had done much to gratify the Radicals by giving up his sinecure—a panegyric which was well merited, and was most happily pronounced.

Lord Darnley followed Lord Camden, but was received with loud and vehement hooting. This nobleman is considered to be very proud, without being arrogant, and to have as full consciousness of the dignity and rights of his order, as Lord Grey could charge any Whig disciple to entertain. He must have been deeply galled when he perceived that his rank and wealth were only turned into scoff, and when in the outset of his speech a common boor cried out, "That there fellow is an Hirishman. Tim, put a potato down his throat, and choke his d——d Hirish jaw." He was not deterred from going on by the howlings which surrounded him, and with far more intrepidity than I should have been disposed to give him credit for, he proceeded with his speech. He soon, however, received a blow, which wounded him much more than the potato proposition; for the moment he began to talk of his estate in Ireland (where he has a very large property), several people cried out, "Why don't you live on your estate, and be d——d to you, and to every other d——d absentee!" This was a thrust which it was impossible to parry. Lord Darnley endeavored to proceed; but the uproar became so terrible, that not a word which he uttered could be heard in the tumult. Whatever faults the Clubbists may have committed, any excessive deference to rank and wealth was not, on this occasion at least, among their defects; and indeed, with the exception of Cobbett and Sheil, no man was listened to with more angry impatience than the noble Earl. After speaking for about

twenty minutes, he sat down with evident marks of disappointment and personal mortification.

On his resuming his place, with a determination, I should presume, never to expose himself to such an affront again, Lord Winchilsea and Mr. Sheil rose together. The competition for precedence into which the Irish demagogue was so audacious as to enter with the chief and captain of the Brunswickers, excited the fury of the latter. Mr. Sheil insisted that, as Lord Camden had — as was, I believe, the case — alluded to him, he had a right to vindicate himself; and there were many who surmised that his motive for presenting himself at this early stage of the proceedings was, that he had sent his speech to London to be printed; and he was heard to say that he did not care whether the Brunswickers listened to him, provided his arguments were read.* Whatever was his object, it was certainly not a little presumptuous in a stranger thus to enter the lists with an Earl, and to demand a prior audience. "I am an Irishman," said Mr. Sheil. "I'll be sworn you are," cried Cobbett; "you are such a d——d impudent fellow." The party on the right endeavored to support Mr. Sheil, and for a long time both Lord Winchilsea and that gentleman continued to speak together, amid a confusion in which neither could be heard.

At length the Sheriff interposed, and declared that Lord Winchilsea had first obtained his eye. That nobleman proceeded to deliver himself of a quantity of commonplace against the Catholic religion, amid the vehement plaudits of his own faction, intermingled with strong marks of disapprobation from the right. "Mushroom Lord — upstart — go mind your rabbits, and the Papists are not poachers!" were the cries of the liberal party; while the Brunswickers exclaimed,

*Mr. Sheil had prepared a long and brilliant oration, to be delivered at the Penenden Heath Meeting, and Murdo Young, of "The Sun" newspaper had it published that evening as if it had been spoken. Only a few sentences were actually spoken, but the speech, to the extent of several columns, was sent all over the United Kingdom, on the wings of the press, and produced a strong impression wherever read. I recollect that, on returning from Penenden Heath, on the evening of the meeting, Mr. Sheil supped at the "Sun" office, and I had the gratification of being one of the party.— M.

"Bravo, Winchilsea!" and waved their hats, as with the lungs of Stentor, with the gesture of a pugilist, and the frenzy of a fanatic, he proceeded. Although utterly destitute of idea, and though scarcely one distinct notion, perhaps, could be detected in his speech, yet Lord Winchilsea, by the energy of his action, and the impetuosity of his manner, and the strong evidences of rude sincerity about him, made an impression upon his auditors far greater than the cold didactic manner of Lord Camden or Lord Darnley was calculated to produce.

There can be no greater mistake than the supposition that the English people are not fond of ardent speaking, and of a vehement rhetorical enunciation. Lord Winchilsea is perfectly denuded of knowledge, reflection, or command of phrase; yet by dint of strong feeling he contrives to awaken a sympathy which a colder speaker, with all the graces of eloquence, could never attain. He seems to be in downright earnest; and although his personal vanity may be an ingredient in his sincerity, it is certain, whatever be the cause, that his ardor and vehemence are far more powerful auxiliaries to his cause, than the contemplative philosophy of the Whigs, who, contented with their cold integrity of purpose, adopted no efficient means to bring their tenants to the field, and encounter their opponents with the weapons which were so powerfully wielded against them.

After having whirled himself round, and having beaten his breast and bellowed for about half an hour, Lord Winchilsea sat down in the midst of the constitutional acclamations of the Brunswickers; and Mr. Sheil, and Mr. Shea, an English Catholic gentleman, both presented themselves to the Sheriff. The Sheriff gave a preference to Mr. Shea, who made a bold and manly speech, but was interrupted by the continued hootings of the Protestant party. The only fault committed by Mr. Shea was, that he dwelt too long on the pure blood of the English Catholics — a topic of which they are naturally but a little tediously fond: it were to be desired that this old blood of theirs did not stagnate so much in their veins, and beat a little more rapidly in its circulation. With their immense fortunes, and a little more exertion, what might they not accom-

plish in influencing the public mind? Excellent men in private life, they are not sufficiently ardent for politicians, and should remember that their liberty may be almost bought, and that two or three thousand pounds well applied might have turned the Kent meeting.

Mr. Shea having concluded, Lord Teynham rose; and Mr. Sheil, at the Sheriff's request, gave way to him. Lord Teynham had been a Roman Catholic.* His name is Roper, and, I believe, he is descended from Mrs. Roper, the daughter of Sir Thomas More. He was assailed with reproaches for his apostasy by the Protestants; and, though he made a very good speech, it was neutralized in its effect by his desertion of his former creed. So universal (however unjust, perhaps) is the antipathy to a renegade, that among the Brunswickers themselves, his having ceased to be a Catholic rendered him an object of scorn. "That fellow's a-going to shift his religion again!"—"Oh, my Lord, there's a man here as says that what your Lordship's saying is all a d——d Popish lie!" and other ejaculations of the same character warned my Lord Teynham that his change of creeds had not rendered him more acceptable to his audience.

Lord Teynham having sat down amid the Brunswick groans, Mr. Sheil rose among them. He was vehemently applauded on the right, and as furiously howled at from the left. "Down with him, the traitor!"—"Down with the rebel!"—"Apologize for what you said of the Duke of York!"—"Send him and O'Connell to the Tower!"—"He got his freehold last night in Maidstone!"—"Down with him!"—"Off, Sheil, off!"—"We're not the Clare freeholders!"—"See how the viper spits!"—"How the little hanimal foams at the mouth! take care of him, he'll bite you!"—"Off, Sheil, off!" were the greetings with which this gentleman was hailed by the Brunswickers, while his own party cried out, "Fair play!"—"Oh, you cowards, you are afraid to hear him!"

Of what Mr. Sheil actually said, it was impossible to give any account; and the miraculous power by which "The Sun"

* Henry Francis Roper, fourteenth Lord Teynham, born 1760, died 1842 His estate in Kent was called Linsted Lodge.—M.

newspaper of that night contrived to publish his oration in three columns, must be referred to some Hohenloe's interposition in favor of that journal. I heard but one sentence, which I afterward recognised in print, as having been spoken: "See to what conclusion you must arrive, when you denounce the advocates of Emancipation as the enemies of their country. How far will your anathema reach? It will take in one half of Westminster Abbey; and is not the very dust, into which the tongues and hearts of Pitt, and Burke, and Fox, have mouldered, better than the living hearts and tongues of those who have survived them? If you were to try the question by the authorities of the illustrious dead, and by those voices which may be said to issue from the grave, how would you determine? If, instead of counting votes in St. Stephen's Chapel, you were to count monuments in the mausoleum beside it, how would the division of the great departed stand? Enter the aisles which contain the ashes of your greatest legislators, and ask yourselves as you pass how they felt and spoke, when they had utterance and emotion, in that senate where they are heard no more: write '*Emancipatior*' upon the tomb of every advocate, and its counter-epitaph on that of every opponent of the peace of Ireland, and shall we not have a majority of sepulchres in our favor?" With this exception, I do not think that the Irish demagogue uttered one word of what appeared in the shape of an elaborate essay in the newspapers."

After having stamped, and fretted, and entreated, and menaced the Brunswickers for half an hour, during which he sustained a continued volley of execrations, Mr. Sheil thought it prudent to retreat, and was succeeded by Mr. Larkin, an auctioneer from Rochester, who delivered a very clever speech in favor of radicalism, but had the prudence to keep clear of Emancipation. His occupation afforded a fine scope for Brunswick wit. "Knock him down—going, going, gone!" and similar reminiscences, exhibited the aristocracy of the mob. Mr. Larkin was not at all disturbed, but, with an almost unparalleled *sang-froid*, drew a flask from his pocket, and refreshed himself for the next sentence, when the uproar was at its height.

When he had finished, Sir Edward Knatchbull, the member for the county, and Cobbett, who had been railing for hours at the long speeches, got up together. The Sheriff preferred Sir Edward, upon which Cobbett got into a fit of vehement indignation. He accused the Sheriff of gross partiality, and, while Sir Edward Knatchbull was going on, shook his hand repeatedly at him, and exhibited the utmost savageness of demeanor and of aspect. His face became inflamed with rage, and his mouth was contorted into a ferocious grin. He grasped a large pole, with a placard at the head of it in favor of Liberty, and, standing with this apparatus of popularity, which assisted him in supporting himself at the verge of the wagon, he hurled out his denunciations against the Sheriff. The Brunswickers roared at him, and showered contumely of all kinds upon his head, but with an undaunted spirit he persevered. Sir Edward Knatchbull was but indistinctly heard in the tumult which his own party had got up to put Cobbett down. He seems a proud, obstinate, dogged sort of Squire, with an infinite notion of his own importance as an English county member, and a corresponding contempt for seven millions of his fellow-citizens. He has in his face and bearing many of the disagreeable qualities of John Bullism, without any of its frankness and plain dealing. He is rude without being honest, and offensive without being sincere.* Cobbett was almost justified in complaining that such a man should be preferred to him.

When he had terminated a speech, in which it was evident that he was thinking of the next election, at which the Deerings intended to dispute the county with him, Cobbett was allowed by the Sheriff to proceed. His hilarity was restored for a little while, and holding out his petition against tithes, he set about abusing both parties. In a letter published in the Morning Herald, he takes care, in his account of the meet-

* Sir Edward Knatchbull, of Mersham Hatch, Kent (which his family have owned since the time of Henry II.), was born in 1781, and succeeded to the title in 1819. He eventually abandoned much of his intolerance, was Paymaster of the Forces, in Peel's last Ministry, and continued comparatively liberal until his death.—M.

ing, to record the opprobrious language applied by the multitude to others; but he omits all mention of what was said of himself. "Down with the old Bone-grubber!"—"Roast him on his gridiron;"—"D—n him and his Indian corn;" were shouted from all quarters. He was not, however, much discomposed at first, for he was confident of carrying his petition, and retorted with a good deal of force and some good humor on those who were inveighing against him. "You cry out too weakly, my bucks!" said he, snapping his fingers at them. "You cry like women in the family-way. There's a rascal there, that is squeaking at me, like a parson's tithe-pig."

These sallies amused everybody; but still the roar against him continued, and I was astonished to see what little influence he had with even the lower orders by whom he was surrounded. The Catholic party looked upon him as an enemy, who came to divide them, and the Brunswickers treated him with mingled execrations and scorn. At length he perceived that the day was going against him, and his eyes opened to his own want of power over the people. Though he afterward vaunted that the great majority were with him, he appeared not to have above a dozen or two to support his proposition, and when he sat down, evident symptoms of mortification and of rage against all parties appeared in his countenance. Altogether, he acquitted himself as badly as can be well imagined; and it seems to me as clear that he is a most inefficient and powerless speaker, as that he is a great and vigorous writer.

Hunt got up to second him, and was received almost as badly as his predecessor, though his conduct and manner were quite opposite, and he did everything he could, by gentleness and persuasiveness, to allay the fury of the Brunswick party, But, after he had begun, Sir Edward Knatchbull interrupted him in a most improper and offensive manner, which induced Lord Radnor to stand up and reprobate Sir Edward's conduct as a most gross violation of decorum. Mr. Hunt went on; but, whatever may be his sway with public assemblies on other occasions, he certainly showed few evidences of omnipotence upon this. He seemed to be crest-fallen, and to have quailed

under the force which was brought to bear against him. One story he told well, of Sir Edward Knatchbull having refused to pay him for four gallons of beer, when he was a brewer at Bristol, because he had sold him a less quantity than that prescribed by the law: altogether, his speech, if it might be so called, when he was not allowed to utter a connected sentence, was a complete failure; but I am convinced that no estimate of his ability can be formed from this specimen of him, as his voice was stifled by the faction to which he was opposed. Indeed both parties seemed to repudiate Cobbett and Hunt, as their common enemies.

Before Hunt had finished, there was a tremendous and seemingly a preconcerted cry of "question" from the Brunswickers; Hunt went on speaking, and immense confusion took place. Mr. Calcraft interfered in vain. Mr. Hodges and Lord Radnor then moved an amendment, declaring that the measure should be left to the discretion of the legislature; and amid a tumult, to which I never witnessed anything at all comparable, the Sheriff put the question. It has been stated in the newspapers that the Brunswickers had a great majority; the impression of a vast number of persons was quite the reverse. They were indeed so well disciplined, that their show of hats was simultaneous, while the liberal party hardly knew what what was going forward. The Sheriff omitted to put Cobbett's amendment, which seemed to be forgotten by every one but himself; and having announced that there was a large majority for the petition moved by Mr. Gipps, retired from the chair. The acclamations of the Brunswickers were reiterated; the whole body waved their hats, and lifted up their voices; the parsons shook hands with each other: the Methodists smiled with a look of ghastly satisfaction; and Lord Winchilsea, losing all decency and self-restraint, was thrown into convulsions of joy, and leaped, shouted, and roared, in a state of almost insane exultation. The whole party then joined in singing "God save the King," in one howl of appropriate discord, and the assembly broke up.

Thus terminated the great Kent meeting; to which, however, I conceive that more importance, as it affects the Oath

olic question, is attached than it deserves. I have not room left for many comments, but a few brief observations on this striking incident are necessary. The triumph of Protestantism is not complete. The whole body of the clergy, who are in Kent exceedingly numerous, were not only present, but used all their influence to procure an attendance, and the utmost exertions were employed to bring the tenantry of the anti-Catholic proprietors to the field. No exertion was made upon the other side. Lord Camden boasted that he had not interfered with a single individual; yet it is admitted that at least one third of the assembly were favorable to the Catholics. The spirit of Lord George Gordon may, by the metempsychosis of faction, have migrated into Lord Winchilsea; but, while he is as well qualified in intellect and in passion to conduct a multitude of fanatics, his troops are of a very different character. Will the legislature shrink before him? Or will it not rather exclaim, "*Contempsi Catilinæ gladios, non partimescam tuos?*" Will the Government permit such precedents of popular excitation to be held up?" and does it never occur to the Tory party that the time may not be far distant when republicanism may choose Protestantism for its model, and, by rallying the people, act upon the same principle of intimidation? If the Catholics are to be put down by these means, may not the aristocracy be one day put down by similar expedients? Will the House of Lords stand by and allow all the opulence and the rank of a large county to be trampled upon by the multitude? for it must occur to everybody, that Lord Winchilsea was the only nobleman on the side of the petitioners, while the rest of the Peerage were marshalled on the other. Do the patricians of England desire to see a renewal of scenes in which the nobles of the land were treated with utter scorn, and the feet of peasants trod upon their heads? Let statesmen reflect upon these very obvious subjects of grave meditation, and determine whether Ireland is to be infuriated by oppression, and England is to be maddened with fanaticism; whether they are not preparing the way for the speedy convulsion of one country, and the ultimate revolution of the other.

LORD-CHANCELLOR BROUGHAM'S LEVEE.*

Unfeigned respect for, and a slight personal acquaintance with, the noble person who now holds the Seals, led me to attend his last levee.* This could not be done without some inconvenience; and not the least of it was the necessity of being equipped in full court-apparel. I do not object to this dress—indeed, I much approve of it in those who mingle in the gorgeousness of courts; but plainer attire would have more befitted the taste of an humble *incognito*. I mention this fact, lest it might be supposed that I was guilty of the not improbable gothicism of appearing in a garb fit for the funeral, but not the levee of a Lord-Chancellor. The practice of receiving the respects of the public on one or two stated occasions is sufficiently ancient, but I have understood was discontinued, or not much observed, in the latter days of Lord Eldon. It was revived with somewhat greater splendor by Lord Lyndhurst, but still it attracted little public notice. His Lordship never secured any very considerable share of general favor. As a lawyer, he was not at the head, though among the chief of his profession. For my own part, I do not regard his secondary eminence in the law as detracting much from his eminence as a public character, when it is recollected that Brougham him-

* This sketch was published in No. 1 of the *Metropolitan Magazine* (May, 1831), which was started by Thomas Campbell, the poet, after he had retired from the Editorship of the *New Monthly Magazine*, which he had held for a period of ten years. Lord Brougham's first levee would probably have been in Hilary Term, 1831, and the second, described by Mr. Sheil, at the commencement of the following Easter Term, or in April, 1831.—M.

self ranked much below Gurney,* Pollock, Campbell, and several others, whose distinction is derived from law alone—the lowest basis on which the fame of a public man can rest. In politics his career had not been such as to command respect. He was uniformly the supporter of the most profitable opinion.†

* The late Sir John Gurney, long known as one of the best cross-examiners at the bar, was made a puisne judge, and in that capacity, no one could say of him,

"Even his failings leaned to *mercy's* side,"

for he was most severe in his judgments. Sir Frederick Pollock and Lord Campbell are yet alive—the first, is Chief Baron of the Exchequer; the other, is Lord Chief Justice of England, and obtained a peerage in June, 1841, by the scandalous job (already referred to in my notes on the sketch of Plunket) of being made Irish Chancellor, for a few days, to obtain the retiring pension of four thousand pounds sterling, when the Melbourne Ministry, whose first law-officer he was, had no other means of quartering him on the public.—M.

† Lord Lyndhurst, who has been Lord Chancellor of England under five Administrations, is American by birth, having been born at Boston, May 21, 1772. His grandfather, Richard Copley, was an Irishman who emigrated to America; John Singleton Copley, this man's son, born in Boston in 1738, showed great natural taste for painting, which he adopted as a profession. He went to England, where his fine historical painting, the death of Lord Chatham, gave him high reputation. He painted several other subject-pictures, which caused him to be elected a Royal Academician. He died in 1815, having lived to see the dawning success of his son. The future Chancellor having eminently distinguished himself at Cambridge University, was called to the English bar in 1804, and, at first was remarkable for his ultra-liberal politics. He soon became leader of his circuit, entered Parliament, adopted Tory views, and was rewarded by the Government, with the Chief Justice of Chester in 1818. He was made Solicitor-General, and knighted, in 1819, became Attorney-General in 1824; was made Master of the Rolls in 1826; and was raised to the rank of Lord Chancellor, with a peerage, as Lord Lyndhurst, when Lord Eldon and five of his colleagues simultaneously resigned, with a view to embarrass Canning, the new Premier, in 1827. Lord Lyndhurst was continued in the office of Chancellor under the brief administration of Lord Goderich, and was retained, from 1827 to November, 1828, by the Duke of Wellington, under whom, in 1829, the pliant lawyer advocated Catholic Emancipation, as strongly as he had assailed it before. In November, 1830, when the Duke's Cabinet broke up, Lyndhurst had to resign, and was succeeded by Brougham. In 1831, Lord Lyndhurst was made Chief Baron of the Exchequer, which he resigned, in December, 1834, again to become Lord Chancellor. But Peel's Ministry, of which he was one, was compelled to resign in April, 1835. From this time, until the autumn of 1841, Lord Lyndhurst held no official station, but received his retiring pension of five thousand pounds sterling. He made a speech, for several

In early life a flagrant Whig, as opening up the best field for talent; in a more advanced stage, the bitter enemy of the Catholics, so long as the star of Lord Eldon, the great dispenser of legal favor, was in the ascendant; and finally, when office had secured him, the advocate of the Catholics on what was called the constitutional ground, when all favor was in the giving of the Duke of Wellington.*

It is not remarkable that the levees of Lord Lyndhurst should have passed off in quietness. I do not remember to have heard that the ceremonial was observed by his Lordship, although, from the known display of this fashionable lawyer, there is no doubt that it was not neglected. If, however, his levees had been attended by the magnificent, it is equally certain that the fact must have attracted public notoriety. I incline to think that it was reserved for Brougham to illustrate the ancient custom, by the splendor of those who chose to be dutiful to the Lord-Chancellor. The fashion of going to court

subsequent years, at the close of each Parliamentary Session, in which he ably and unmercifully exposed the "sayings and doings" of the Melbourne Ministry. When Peel again became Premier, in 1841, Lord Lyndhurst, for the fifth time, was made Lord Chancellor, and continued in office, until June, 1846, when the Peel Ministry was broken up. It is said that he was offered the Great Seal, for the *sixth* time, in 1852, by Lord Derby, but declined on the plea of advanced years—having then reached the age of seventy. As a politician, Lord Lyndhurst has been inconsistent and flexible; as a parliamentary speaker, severe and sarcastic; as an advocate, powerful and effective; as a judge, acute and shrewd. In common law, he has had few superiors; and though his bar practice was not in the Chancery courts, sagacity and great common sense marked his decisions in equity. He still attends to his parliamentary duties [January, 1854], but seldom speaks.—M.

* War, to which Wellington owed his celebrity, rank, and fortune, has usually been an expensive luxury to John Bull. In the last four years of the contest with France, the cost to the British nation was—1812, £103,421,538; 1813, £120,952,657; 1814, £116,843,889; 1815, £116,491,051. The expenditure during the war, from 1803 to 1815 inclusive, was £1,159,729,256. It was stated after the battle of Waterloo, that young men in the United Kingdom (such as usually enlist) were so generally killed off that it would have been impossible to raise another army. I have heard Doctor Buckland, the geologist, state (in a course of lectures which I attended when at Oxford), that the present French soldiery owe their stunted appearance to the conscription in the time of Napoleon, which drew away the manhood of the country, leaving the population to spring from immature youths or exhausted *vieillards*.—M.

is such, that it infers little personal respect to the individual monarch; but the practice of attending the levee of an inferior personage is to be ascribed to the respect which individual eminence commands.

When Lord Brougham announced his levees, it could not be known whether he should receive the homage of the aristocracy, to whom it was not supposed that his Lordship's politics were very amicable. It was, moreover, thought that the republican, or, to speak more guardedly, the Whig Lord-Chancellor, would care little for a custom in which there was no manifest utility. He had declared that the gewgaws of office delighted him not; and I dare say he would fain bring his mind to believe that all ceremonial was idle, perhaps contemptible. But it is the greatest mistake to suppose that Lord Brougham is inattentive to the ceremonies with which his high place is surrounded. A careful observer will see clearly that imposing forms are perfectly agreeable to his mind; nobody could ridicule form better, so long as he held no situation which required the observance of customary rules: but, elevated to his present distinction, it is plain that he enjoys all the little peculiarities of his office. Somebody said that he presided in the House of Lords in a bar-wig, and instanced the fact as a proof of his reforming temper; but it was not true. Accident may have obliged him to take his seat in this ungainly form, but he had no purpose of deviating from the ancient full-bottom, and he is now to be seen in all the amplitude of the olden fleece. In like manner he observes the strict *regime*, so fantastical to a stranger, of causing counsel to be shouted for from without, although they are actually present, and he adds to the oddness of this custom by receiving them with a most imposing mien, and putting on his *chapeau* as they advance. This is a form for which the model is not to be found in the practice of his immediate predecessors. It is possible, however, that his extensive and minute reading may have made him aware that Wolsey, peradventure, or some great Chancellor of old, had the fancy to be covered when the suppliants approached. Let any one observe with what studied dignity he performs the duty of announcing the royal assent to acts

of Parliament; he assumes a solemnity of tone for which his voice is not ill fitted, but which is unusual with him. These small circumstances, and many such which might be mentioned, show that state is not uncongenial to his mind. Why should it? His weakness consists in the unreal contempt for what is not really contemptible.

With his high notions of office, I should have been surprised if he had foregone the levee; and assuredly he has not reckoned without reason; for a more splendid or flattering pageant could not be witnessed than that which his rooms exhibited. Unquestionably the most remarkable man in the empire at this moment, it is his fortune to attract the honorable regards of all who are distinguished as his compeers. It is not my intention to offer any estimate of what I conceive to be his genuine worth, as he may be appreciated in a more dispassionate time; I speak of him only as a great man filling a very large space in the consideration of the empire. Judging from the throng of all classes upon this occasion, whose favor is desirable, no man is more popular.*

* To us, looking back upon public events, it may now appear singular that there could have been any doubt, on the part of the Whigs, on taking office, in November, 1830, of Brougham's claim to participate in "the spoils." For nearly twenty years, he had been one of the leaders of the liberal party in the House of Commons. In that capacity none had more ably or consistently advocated education, and parliamentary, and law reform. On Queen Caroline's trial, he distinguished himself above all others, and his advocacy of her cause, while it precluded him from Court favor, greatly endeared him to the public. In 1827, he strongly supported Canning's Ministry, but declined, it is said, the office of Master of the Rolls, vacant by Lord Lyndhurst's elevation to the Woolsack. At the general election in 1830, on the accession of William IV., the great County of York returned him, without his competitor's risking a contest, as one of its representatives. He pledged himself to introduce a measure of Parliamentary Reform, and the day being fixed for its introduction, the Wellington Cabinet was beaten into resignation, whereupon Lord Grey was empowered to construct a liberal Government. The post of Attorney-General (which is not held by one of the Executive) was offered to Brougham and declined. It was an inferior post, for Lord Grey actually was afraid of the great genius of the man who had emphatically become "the observed of all observers." Afraid that Brougham's plan of Parliamentary Reform would be bolder and better than that promised by the Whigs, the highest office was offered him and accepted. On November 22, 1834, he took his seat in the House of Lords

His levee is held on a Saturday evening, at the unsuitable hour of ten o'clock. It was rather late before I could come up, and I found the whole square in the vicinity of his residence crowded with carriages. Threading one's way amid many obstructions, I reached the house, and which (to observe on a matter so small) I should remark is not very suitable for the residence of either its former (Earl Grey) or present occupant. It is expected that a noble aristocrat should be found in ample halls, surrounded by suitable magnificence, but this is not the house in which the lordly capital of the peers should be lodged. The principal rooms are of moderate dimensions, and the suite consists only of two. It was not surely in this house that Lord Byron found the family of Lord Grey, when he formed the very exalted opinion of their patrician accomplishments to which he gives expression in one of his letters.

The preparations for announcement were those which are usually observed. The Chancellor took his place at a corner of the room, backed by his chaplain, and was soon encircled by the visitants; his dress remarkably plain, being a simple suit of velvet in the court cut. The names were announced from the bottom of the stairs, and each person as he entered walked up to the Chancellor and offered his respects. The numbers were so great, that it was impossible to devote any marked attention to each; as soon, therefore, as the visiter had made his bow, he retired into the throng, or took his departure through the adjoining room. I was not present at the first of the levees which were held, and at which the attendance was very distinguished; but a friend who was, spoke very highly of the manner in which the Chancellor performed his noviciate.

The Archbishop of Canterbury came early, and was very kindly received. He was followed by the Archbishop of York and several other bishops, whose attendance gave proof that. differ as they might from Lord Brougham, they surely did not

as Baron Brougham and Vaux, and Lord High-Chancellor of England. He held this office for four years, namely, until November, 1834. While Lord Erskine's Chancery Judgments are laughed at as "the Apocryphal Volume." those of Lord Brougham, collected and edited by Charles Purton Cooper, the eminent Chancery barrister, are constantly referred to, as authority.—M.

consider him an enemy to the Church.* There is something uncommonly bland in the appearance and expression of the Primate; he is the very reverse of the full-blown dignitary who is commonly seen in high places. One's notions of a bishop are apt to be those which we entertain of a high-feeding drone —with little duty that is of much real consequence, but with a most exalted notion of such duty as he is called on to discharge. Not so the present Archbishop of Canterbury: I mistake his character extremely if he is not a meek as well as a highly-accomplished servant of his Master. I know not how he ascended to the primacy, but I am sure that it is not dishonored in his hands. Brougham evidently likes his Grace.

The most remarkable visiter of that evening was the Duke of Wellington. The crowd was astonished, and I dare say the Chancellor himself was surprised, when his name was sent up. I doubt if they had ever met in the same room before. Their political lives, with the exception of the Catholic question, were one unvarying course of opposition, if not enmity. I suspect that for a time the Duke despised the talk of the lawyer; and, on the other hand, Brougham had often declared that the respect which he entertained for military glory was not very lofty. Some of his bitterest tirades were levelled at the Duke personally. No one will deny that it was high-minded in the Duke to lay aside resentment of every sort, and offer this mark of respect as well to the man as the office. The Chancellor was flattered by the attention, and shook the Duke by the hand very cordially. There is not much heartiness of manner about the Duke, whatever may be the reality; and his dry features, thinned by the great labors in which his life has been passed, do not easily or readily relax into a smile; but on this occasion it was remarked that his countenance was more expressive of good-will than usual.† He engaged in con-

* Dr. Howley, Archbishop of Canterbury, died in 1848.—Dr. Harcourt, Archbishop of York, died in 1847.—M.

† Brougham and Wellington subsequently became intimate friends. On one occasion, Brougham publicly described Wellington as "the most magnanimous of men."—M

versation for a minute or two with the Chancellor, and then gave place to the subsequent visiters who pressed for audience. His Grace immediately joined some military friends who had previously been received.

Not the least remarkable personage in the room was the Lord-Advocate of Scotland.* Brougham and he are very old friends, and have been much engaged in the same species of literature. Lord Brougham was his predecessor in the editorship of the "Edinburgh Review"—a fact which is not generally known, but which is certain. Brougham was not the first editor, having filled that office for a short time after Sydney Smith withdrew from the situation. Jeffrey appeared extremely *petit* in his court-dress, and did not seem very much at home; he was acquainted with but few of his fellow-visiters, and had too much good taste to occupy much of the Chancellor's attention. They did not seem to hold any conversation beyond the usual commonplace inquiries.

Ascending the stairs, I was met by a hobbling old Lord—Carnarvon by name. There is nothing very courtly or dignified in the appearance of this nobleman.† He has been a Whig the greater part of his life, but affects to be greatly dismayed at the Reform Bill; and has more than once run a tilt against the Ministers, but with no very marked success. Arm-in-arm with Lord Carnarvon came the gay and the good-look-

* Francis Jeffrey, was born in 1773, and was one of Sir Walter Scott's contemporaries and early associates. Called to the bar in 1794, he soon obtained a high reputation for eloquence, and gradually got into practice, but was chiefly eminent, during nearly thirty years, for his connection with the *Edinburgh Review*, as contributor and editor. The first number appeared October 25, 1802, and three editions were exhausted in as many weeks. It soon became, what it has ceased to be, the able and recognised organ of the liberal party in Great Britain. In 1829, when the profession chose him Dean of the Faculty (of law), Jeffrey retired from the *Review*. In 1830, he was appointed Lord-Advocate of Scotland, under the Grey Ministry, and entered Parliament, where he by no means distinguished himself. In 1834, he was promoted to the Scottish bench, where, applying all the great powers of his mind to the task, he became one of the best Judges that ever adorned that high station. He died in 1850.—M.

† Henry George Herbert, second Earl of Carnarvon, born in 1772, died in 1833, aged sixty-one. His son and successor, then Lord Porchester, had distinguished himself as the author of "The Moor," and other poems.—M.

ing Earl of Errol,* blooming with the most healthful roseate; and immediately behind followed Sir Robert Wilson. Time and hard service have made little impression on a set of not very extraordinary features. There is a buoyancy about this historic soldier which bespeaks a good heart.† He seems to have lost much of his fancy for senatorial display; and, truth to tell, Parliament is not the place of all others in which he has been destined to shine. He is one of the few whose hard fortune in less auspicious times has stood him in good part in later days.

On entering the room, I was struck by the superior brilliancy of the military costumes, always the most prominent at such times. Military rank is both common and honorable, and its apparel seems to be in favor with all classes. Hence it is that many, such as the lieutenants of counties, whose duty is exclusively of a civil nature, adopt the fashions of the army. There were half a dozen Lords-Lieutenant in the room, among whom I particularly observed the Duke of Argyle.‡ I am told that his Grace is a man of talent; and his fine features, the remains of what rendered the Marquis of Lorn one of the most eminently handsome men of his time, are now thoughtful and melancholy. The present Administration has given the Great Seal of Scotland to the Duke of Argyle; and in duty he is found

* The late Lord Errol (whose Earldom was created in 1453), was Hereditary Lord High Constable of Scotland, which is the highest hereditary distinction in the United Kingdom, after those of the Royal Family. He married one of the illegitimate daughters of William IV. and Mrs. Jordan, the actress, and died in 1846, aged forty-five.—M.

† Sir Robert Wilson, who much distinguished himself by his military services from 1793 to 1815, aided in the escape of Lavalette, from Paris, in the latter year. In 1821, for taking the popular side, at the funeral of Queen Caroline, he was dismissed from the British army. A public subscription indemnified him from the pecuniary loss, and he was reinstated some years after. From 1818 to 1831 he represented Southwark in Parliament. In 1841, he was raised to the rank of full General. In 1842, he was appointed Governor of Gibraltar, and had just returned from that post, after seven years' of command, when he died suddenly, May, 1849, aged seventy-two.—M.

‡ The sixth Duke of Argyle, born in 1768, married Lady Caroline Villiers (who had previously been the wife of, and had obtained a divorce from, the Marquis of Anglesey), and died in October, 1839.—M.

at the levee of its Chancellor. Along with his Grace were several other peers of ducal rank, but whose fortunes were no way interesting to me.

After I had paid my respects to the Chancellor, there came tripping up the Marquis of Bristol* with a springy step, which he must surely have acquired at the old court of France; for I am sure that no such movement could be attained on English ground. The elasticity of this noble Lord was such that, when once put in motion, he continued to spring up and down in the manner of the Chinese figures which are hawked by the Italian toy-venders. Had I been told that the head of the house of Newry was a dancing-master, who had not yet learned the present modes, I should certainly have believed the story without scruple if I had met him anywhere else.

He had no sooner left the Chancellor, than he was laid hold of by a fidgetty solicitor,† who was the only member of his class in the room, and who, I understand, is a sort of favorite of the Chancellor. The obsequious grin and the affected ease of this worthy do not convey any very favorable impression on his behalf. He was solicitor for the Queen, and in this capacity had formed an intimacy with her chief counsel, which an ill-natured person would perhaps think makes him now forget in some measure the great disparity between their present condition. The Chancellor gave no discouragement to his familiarity.

A certain Sir Something Noel came up immediately afterward, of whom nothing more remarkable could be told than that he was the relative of Lady Byron; and is, I suppose, the same person of whom Byron expresses himself favorably when a temporary illness of his lady shortly after their marriage

* Nephew of the celebrated Earl of Bristol, Bishop of Derry, of whom mention has already been made. In June, 1826, he was created Marquis. He is yet alive (January, 1854), and is aged eighty-four.—M.

† This "fidgetty Solicitor" was William Vizard, subsequently made Secretary of Bankrupts by Lord Brougham, in 1832, a post worth twelve hundred pounds sterling a year, which he occupied for twenty years (until 1852), and then contrived to get appointed, on its abolition, to an office equally valuable, which he retains. His connection with the Queen's trial made William Vizard's fortune, and he is now a large landed proprietor in Gloucestershire.—M.

looked rather gestatory.* A variety of lords, squires, generals, *ossa innominata*, followed, for whom the Chancellor cared perhaps about as much as I did.

At length Sir James Scarlett was announced, and the Chancellor left his place to meet him. His welcome was very hearty. Brougham was doubtless gratified by this token of respect from a man who was indisputably his leader in the courts,† and for whose forensic abilities it is known that he entertains, and has often expressed, the highest admiration. The position of the two men was singular, and to the ex-attorney not very enviable. Scarlett was in high practice before Brougham was even called to the bar. He kept ahead of him in their profession throughout; and twice he had filled the first places at the bar, when the respective attainments of these eminent persons were such, that if Brougham had been placed before him, Scarlett would have had just ground of complaint, and the bar would have unanimously decried the appointment. Now, however, by one of those cross-accidents which will occur in the most fortunate lives, Scarlett was, with strict justice and universal acquiescence, placed below his former competitor, and in direct opposition to all the early friends with whom he

* Sir Ralph Milbanke's wife was sister of Viscount Wentworth, and she succeeded to the estates, on condition that her name should be changed to Noel. Her daughter was married to Lord Byron, who prefixed the name of Noel to his own, on his mother-in-law's death. Sir Ralph Noel died in 1825, and Mr. Sheil alludes to his relative and successor, Sir John Peneston Milbanke, who dropped the name of Noel altogether.—M.

† Perhaps this is the place where I should state the cost of the administration of justice, which forms an important item in the national expenditure of Great Britain. In 1852, as appears by Parliamentary returns, the whole amount was £2,104,196, of which £645,243 was for Courts of Justice (including salaries of Judges and other officials), £891,542 for police and criminal prosecution, and £567,411 for correction. In October, 1853, the Reverend Mr. Clay, chaplain of the House of Correction in Preston (England) in his annual report to the magistrates, estimates the loss caused to the public by fifteen pickpockets, whose career he has traced, including the value of the property stolen, expenses of prosecution, and maintenance in jail, at £26,500. That is to say, England was at an expense of £1,766 for each of these worthies—a sum, one tithe of which, if judiciously applied at the proper time, would probably have sufficed to make them useful members of society.—M.

commenced his political career.* It was matter of necessity and of course that he should go out when his employers were obliged to surrender office; and no man could complain that Brougham should then be elevated to a distinction, which in other circumstances Scarlett might have thought his own by indisputable right. The Chancellor remained longer in conversation with Sir James than any of the other distinguished persons who appeared. Indeed, his anxiety to show this attention produced rather awkward effects. While they were closely together, Jocky Bell, as he is commonly called, the very eminent Chancery barrister, came in sight; but he was suffered to waddle about for some time before he caught the eye of the Chancellor.† Before the conversation with Sir James was finished, there were a good many others in the same unreceived plight, and the Chancellor was obliged to give them a hasty discharge.

The Speaker of the House of Commons was then announced. Brougham and he met as warm friends, though certainly men having little in kindred. In point of talent there is no ground of comparison; yet it may be doubted whether they are not nearly as great in their own way. I have no notion of the place which the Speaker held in Parliament before he was elected to the chair, and I know few situations which require

* It was said that Scarlett, afterward Lord Abinger, "ratted" at the wrong time. He had been liberal in politics up to 1828 (and had been Canning's Attorney-General in 1827), but took office with the Duke of Wellington, then an avowed Tory, and was as intolerant as renegades, whether political or religious, usually are. In 1830, when the Whigs came into power, Scarlett had to resign office. But, in December, 1834, when the post of Chief-Baron of the Exchequer became vacant by Lord Lyndhurst's taking the Great Seal, Scarlett was appointed, receiving a peerage shortly after, and continued Judge until his death in 1844.—Had he remained with the Whig party, he would probably have been appointed their Lord Chancellor in 1830.—M.

† "Jock Bell," as he was called, was a friend and contemporary of Lord Eldon's. He was notorious for writing so badly that it was said he wrote three hands; one, which nobody but himself could read; a second (that in which he gave his opinion on cases) which none but his clerk could decipher, and a third which neither himself nor clerk could make out. It is a fact, and the foundation of a passage in "Pickwick," that Jock Bell's clerk realized a large income by making readable copies of his employer's opinions, which were greatly in request, on account of their ability.—M.

more tact and management. In these qualifications the present Speaker is signally gifted.* He brings a degree of good-nature to the office which no event, however untoward, can ruffle: his calmness never forsakes him; he is the same easy, dignified chairman at all times. The Commons are a truly turbulent body, but they are not impatient of his sway. In all emergencies he is vigorously supported: in his hands, the authority of his office, though rarely exercised, has lost none of its force. Brougham himself was one of the most fiery spirits in this hot region; but a word from the Speaker would calm him in an instant. Among other qualifications for command, he is possessed of a fine, mellow, deep-toned voice, which, while it powerfully enunciates "Order," frees the command from all harshness or severity. As the first commoner in the land, and a truly estimable gentleman, he was entitled to be well received. But I doubt, if deprived of his chair, whether he could insure much regard on the score of his talents. Let me not, however, shade the picture which I have already drawn; it is manifest that Mr. Sutton is a general favorite. Every one was eager to pass a minute or two with him. I was much pleased to witness a frank greeting between him and old William Smith, who is not now in the House of Commons; but who, before he left it, enjoyed the patriarchal rank of being the father of the body.† The Speaker told him that they had not much mended since he left. Longer speeches —more of them—later hours, and fewer divisions—were the characteristics of the session, compared with its predecessors.

Lord Farnham,‡ a bluff, weather-beaten old Irish Lord—the unflinching enemy of the Catholics, and the equally-deter-

* Charles Manners Sutton, speaker of the House of Commons from 1817 to 1834; created Viscount Canterbury in 1835; and died July, 1845. He was very popular as speaker, and allowed himself to be re-elected (after the Reform Bill was passed in 1832) at the especial request of the Grey Ministry.—M

† This William Smith, who had a seat in Parliament for forty-six years, was latterly Member for Norwich. He attacked Southey, in Parliament, as a "rancorous renegade," and was replied to by the poet in nervous and indignant prose. William Smith was ultra-liberal in politics. He died in 1835, aged seventy-nine.—M.

‡ John Barry Maxwell, fifth Lord Farnham, born in 1767, died in 1838.—M.

mined enemy of Reform — got hold of the Speaker; and, in the course of a brief conversation, the latter informed him that for eight entire days and nights he had never been from under the roof of the House of Commons. The House had been sitting from three o'clock in the afternoon till three and four o'clock in the morning; and then the business of the committees commenced at ten o'clock, to which he was obliged to give a good deal of attention. He spoke of the labor as being greater than any physical strength could endure. When this fact is known, it ceases to be wonderful that he should be anxious, as has been long reported, to exchange the conspicuous and most honorable situation which he now holds, for that of the youngest peerage, and become second to such insignificancies as Bexley and Sidmouth.* Leaving Farnham, the Speaker was engaged for a short time with Lord Nugent and the Marquis of Clanricarde.† Both of these noble Lords appeared in the splendid costume which I believe is characteristic of the diplomatic corps. Nugent is evidently a person of the most accomplished manners. The perpetual play of good-humor on his agreeable features shows that the severity of his politics does not arise from any harshness of disposition. It will be recollected that he was the subject of one of Canning's pleasantries in regard to the Portuguese expedition; which, however, had little point, unless his Lordship had been a very stout man — but this is not the fact. A much larger person than Lord Nugent would have occasioned no inconvenience to

* The late Nicholas Vansittart, Chancellor of the Exchequer, from 1812 to 1823, was created Baron Bexley. Henry Addington, successively Speaker, Premier, and Home Secretary, was created Viscount Sidmouth in 1805, and died in 1844.—M.

† Lord Nugent, born in 1789, sat in Parliament over twenty years; was Lord-Commissioner of the Ionian Islands from 1832 to 1835; and died in November, 1850. His politics were liberal, and he had considerable literary taste.—The Marquis of Clanricarde, Canning's son-in-law, was born in 1802, represents the De Burgh or Burke family, and claims to be descended from Charlemagne. He has been Ambassador to Russia, and Postmaster-General. Before 1831, there was a good deal of town-talk about a young man of property having been "pigeoned" at cards, at Richmond, near London, and it was said that Lord Clanricarde was one of the party; but the scandal blew over and no proof was given of the imputations on "the noble Marquis."—M.

the heavy Falmouth van. Lord Clanricarde is only remarkable for his connection with Canning. His countenance is anything but pleasing: his fondness for play is well known, and had at one time placed him in a disagreeable dilemma.

The last person of note who arrived, before I departed, was Sir Thomas Denman.* The Chancellor was engaged with some one at the moment, and nothing passed between them but an exchange of bows. It was nearly ten years since I had seen Brougham and Denman together: the Queen's trial was then the all-engrossing topic of public consideration. Who could then have foretold that these men would have in so short a space won the confidence of a sovereign, whom they attacked with a degree of virulence which, even in those days of party violence, was generally condemned? The change in feeling is creditable alike to all.

* Thomas Denman, born in February, 1779, and created Baron Denman, of Dovedale, in the County Derby, in March, 1834, was son of a physician in London. He was called to the bar in 1806; went the Midland circuit, entered Parliament in 1818: became Solicitor-General to Queen Caroline in 1820; was elected Common Sergeant of London, in 1822; was made King's Counsel, with a patent of precedency, in 1826; was made Attorney-General, under the Grey Ministry in 1830; was made Chief Justice of England in 1832; raised to the peerage in 1834; and compelled, under Lord John Russell's Ministry, in 1850, to resign, on the plea of advanced years, to make room for Lord Campbell (only two years his junior), for whom a job of the same character had been perpetrated, in 1841, when Lord Plunket was literally turned out of the Irish Chancellorship, in order to give Lord Campbell a legal claim to a life-pension of four thousand pounds sterling. As an advocate, Denman was bold and eloquent; his denunciation, on the Queen's trial, of the Duke of Clarence (afterward William IV.) as a "royal slanderer," was decided and fearless — ten years afterward, this prince, as Sovereign, accepted Denman as his first law officer. As a judge, he was just and constitutional. In politics, he has always been liberal. In Parliament, he was a ready debater. During the Reform Bill discussions, Sir C. Wetherell compared Old Sarum (for which three men elected two members) to Macedon. "Yes," replied Denman, "Macedon was ruled by an Alexander:" — an East India Director, named Alexander, being one of the (so-called) representatives of this nominal borough, with one house, three voters, and two Members, while Manchester, population four hundred thousand, was wholly unrepresented — M.

STATE OF PARTIES IN DUBLIN, IN 1831.

On the 5th of this month of May [1831], my business led me into the Four Courts, Dublin; and on the way, by a train of associations too obvious to require to be analyzed, my mind involuntarily reverted to the past, and took note of the vicissitudes produced since I last wrote. But it was only when I found myself in that emporium of law, and politics, and gossip—the Hall of the Four Courts—that I felt in all their force the variety and extent of those mutations. The scene and the majority of the actors were still the same, and the general resemblance, at the first view, appeared unimpaired; but, upon a nearer scrutiny, how striking and singular had been the changes!

Of these actors, for instance, one of the first that attracted my attention was Mr. William Bellew, a Roman Catholic barrister of great personal respectability, and of just repute in certain departments of his profession. In his general aspect there was little perceptible alteration. Time, as if from a kindly feeling toward an old acquaintance, seemed to have spared him more than younger men. I found the same spire-like altitude of frame; the same solemn, spectral stride; the same grave and somewhat querulous, but not undignified cast of feature "In his own proper person," in face and form, Mr. Bellew was such as I had seen him in his penal days; but what a transfiguration had been accomplished in his gown! How omnipotent must have been that act of Parliament which had substituted his present rustling silk attire for the dingy, tattered fustian, in which I had so often seen him haunting the precincts of the Court of Chancery, and which he had vowed to

wear while a rag of it remained, as an ensign of reproach to the presiding bigot of the court! But Lord Manners and his tenets had passed away, and Mr. Bellew's epitaph may state that he too, in his generation, was one of his Majesty's counsel-at-law.

My eye, turning from Mr. Bellew, soon rested upon several other barristers of his creed, who, like him, had been taking the benefit of the statute. Among them, and apparently the youngest of the group, was Mr. O'Loghlin, upon whom Emancipation had fortunately come just at a period of his career when promotion, being possible, was inevitable. He is already one of the three sergeants, and, if the orisons of the public can confer length of days, the highest judicial office is his certain destination.

But the most singular of those metamorphoses, which, when I last addressed you, it would have been maniacal to have predicted, was exhibited in the personal identity and present official attributes of the worthy ex-Secretary of the ex-Catholic Association, Mr. Nicholas Purcel O'Gorman. This excellent and best-tempered of organized beings, who, during a life devoted to the angry politics of Ireland, has made as many friends as another would have created enemies—who was ever frank and fearless in the expression of his opinions, even though one of those opinions was and is that "St. Paul was a decided Orangeman"—now stood before me, transformed into nothing less than a public functionary, by title Cursitor, of that very court in which Mr. Saurin had pleaded and Lord Manners had presided. The selection, I am bound to add, has been pronounced by the public, from whose discernment in such matters there is no appeal, to have been worthy of the exalted person to whom, fortunately for Ireland, higher functions than the extension of mere acts of considerateness toward meritorious individuals have been again committed.

I approached the group, to whom Mr. O'Gorman, who had been recently sworn in, was detailing with humorous exaggeration the weighty responsibilities that had descended upon his rather Atlantean shoulders. The Cursitor's office, I collected from him, was one of the great fountain-heads of justice, whence

litigation flowed in streams or torrents through the land. It was emphatically the *officina brevium*, the inner temple of original writs, and the Cursitor the high-priest, without whose signature, now written with majestic brevity, "O'Gorman," those sacred documents would want their legal potency. I was gratified, however, to hear Mr. O'Gorman add, which he did with a glance of no doubtful meaning at one of his auditors, who had been an unsuccessful expectant under the old *régime*, that his hierarchal cares were in some measure soothed by sundry daily and not unwelcome offerings from the devotees at the shrine over which he had been appointed to preside. It was an office of trust coupled with emolument, a coincidence which Mr. O'Gorman, though a stanch reformer, very justly pronounced to be not incongruous.

These are single instances of the changes which the surface presented, but I could multiply them without number; wherever I looked around, I found abundant evidences, had I otherwise been unaware of the fact, that the genius of Mr. Gregory,* no longer presided in the government of Ireland. Religious peace, and never was a peace more just and necessary, had been proclaimed; and, after it, had followed in due course the gradual decline of as hateful a faction as had ever desolated and insulted a devoted country. There was, however, no want of excitement. It had changed its character, but was as active in its way as in those dreary times when Mr. Lefroy's theology and Master Ellis's statesmanship found favor at the Castle. The groups of animated bustlers in the Hall were no longer discussing the divided allegiance of the Catholics, or holding a drum-head inquiry over Mr. Sheil's last speech at the Association, but much was said of schedule A—of its multiform abominations by the smaller and more hopeless politicians—of its wisdom and necessity by others, and among them not a few who conceived it to be both wise and necessary to declare their opinions in favor of reform. But I soon discovered that

* Of William Gregory (who was Privy Councillor and under-Secretary for Ireland) mention has already been made in one of the notes on Lord Norbury, page 36, in this volume. Mr. Gregory was a "Protestant Ascendency" man. His son represented Dublin, in Parliament, for a time.—M.

the buzz around me turned upon a matter of a still more immediate interest; an active canvass was going forward. The Dublin election was fixed for the following day; and the popular party, in perfect accordance upon this occasion with the wishes of the Government, had determined upon attempting a decisive blow. Committees had been sitting; subscription-lists opened; Mr. William Murphy sent for; an earnest but amicable conflict of opinion had ensued: Mr. Murphy, with the caution of long experience, was strenuous in his advice that they should run no risks, but, by concentrating their forces, secure the return of one member. "*Delenda est Carthago*," was the cry of Sergeant O'Loghlin and Mr. Blake, and the bolder counsel had prevailed: two reform candidates had been started against the corporation of Dublin.

The competitors upon this stirring occasion were the late members, Messrs. Moore and Shaw, who rested their pretensions on their love of corporations, and their hatred of reform; Mr. (now Sir Robert) Harty,* the Lord-Mayor of Dublin, and Mr. Louis Perrin, an eminent member of the Irish bar. The two latter announced themselves as sturdy reformers.

Of Mr. George Moore I can not tell you much, for I only know of him what the public knows.† He is, I should suppose, between fifty and sixty years of age. There is nothing remarkable in his face or person. He is a man of mild manners and violent opinions; can make a long speech on most subjects, either in or out of Parliament; is the proprietor of an ample sinecure in one of our courts; and much regarded by his personal acquaintances. The only singular events in the history of his life that I have heard recorded were, his first return for the city of Dublin, and an incident connected with it. The day preceding that fixed for the election had closed, and the corporation, still in search of a fit and proper nominee,

* Sir Robert Harty, who was made a Baronet in September, 1831, was a liberal in politics. He was an Alderman of the old Dublin Corporation, and was Lord-Mayor in 1830–'1. Though he and Mr. Perrin were elected, as stated by Mr. Sheil, their triumph was short-lived, for they were unseated on petition.—M.

† Mr. George Ogle Moore, who was M. P. for Dublin, for a short time, was one of the most undistinguished men in Parliament.—M.

continued their deliberations through the night. Mr. Moore, as yet unthought of, retired at his accustomed hour to repose. At midnight, as the story goes, he was suddenly awakened, and saw at his bedside the portly form of Master Ellis, deputed from the still-sitting committee, to know if he would consent to be returned to Parliament from his native city. Mr. Moore rubbed his eyes, pressed the Master's hand more closely, to ascertain that it was a hand of flesh and blood; saw visions of Parliamentary renown start up before him, and thinking that *now* he surely could not be dreaming, gave his assent. The next day he was the member for Dublin: the "Mirror of Parliament" tells the rest.

Mr. Frederick Shaw is a much younger man than Mr. Moore. He was called to the bar in the year 1822, and for the first five years gave no signs of his subsequent prosperity.* He was assiduous, but in no way distinguished. The first occasion upon which the courts became familiar with his name was in 1827, upon the arrival of Sir Anthony Hart as the Lord Chancellor of Ireland. Sir William M'Mahon, the Master of the Rolls, conceived that in him was vested the power of appointing a particular officer of his own court. Former Chancellors, however, had claimed and exercised the right of appointment, and Sir Anthony Hart announced that he would follow their example. The Master of the Rolls, desirous that the question should undergo a solemn discussion and adjudication, nominated his relative, Mr. Shaw, to the office in dispute. Mr. Shaw presented a petition to the Lord-Chancellor, praying to be admitted to the performance of the duties, and the perception of the profits, and Mr. Saurin appeared as the leading counsel in support of the claim.

The matter, in itself, was one of no sort of public interest: it was a mere question of patronage between two judicial dig-

* Frederick Shaw, whose early appointment to the Recordership of Dublin excited much discussion at the time, probably owed his preferment to the fact that his aunt was wife of the late Sir William M'Mahon, then Master of the Rolls in Ireland. Mr. Shaw, where politics did not bias him, gave satisfaction as a judge. He was a Privy Councillor and represented the University of Dublin in several Parliaments.— M.

nitaries; yet wondrous was the interest, or at least the curiosity, with which the proceedings were watched, and the result conjectured. It had the novelty of being the first case in any way peculiar, and that one relating to himself individually, upon which the newly-imported Chancellor was to be called upon to decide. It was expected by sundry shrewd solicitors that litigation, even between two such high contending parties would produce the usual feelings of personal estrangement, and, as a profitable result, that appeals from the Rolls to the Chancellor would not fail to be multiplied; while others, who had been often made to smart under Sir William's inexorable rules and orders, were delighted to find that his Honor for once had a prospect of feeling in his own purse what it was to have the prayer of a petition refused with costs.

These were the effusions of the mere idle gossip of the Hall, and excited nothing but amusement; but pending the discussion, an incident occurred which sent a profounder feeling through the courts and the country. In the course of his argument, Mr. Saurin, for the moment oblivious of the recent change of Chancellors, implored of the Court to recollect the seditious spirit that was abroad, and the factious disposition daily manifested to bring even the highest public functionaries into contempt—a disposition which "the continuance of the present litigation would not fail to foster and gratify." This was a topic to which Lord Manners would have listened with all the nervous attention of a weak mind overawed by the horrors of a phantom-story. The healthier intellect of Sir Anthony saw in it nothing but its inappropriateness. He interposed, saying: "If there be any spirit abroad which would lead persons to degrade the higher authorities of the country, my opinion is, that that spirit can only be met and counteracted by those who hold such high situations having their motives and their actions exposed to the fullest public scrutiny. When these motives and that conduct are properly placed before the world, they may be satisfied that both will be rightly appreciated by the public: and so much, Mr. Saurin, for that topic." The effect of these few simple words in the Irish Court of Chancery was electrical. Mr. Saurin was disconcerted; his Bruns-

wick friends beside him panic-struck; Sergeant Lefroy looked first up to heaven, and then full in the face of his valued friend Mr. Henchy; Mr. Henchy responded with a look at once historical and prophetic; a buzz of perturbation passed along the benches of the outer bar; while Mr. Eccles Cuthbert (almost the sole surviving Whig of the olden time) rushed forth from the Court toward the Hall, and, standing at the top of the Chancery-steps, proclaimed to a group that he beckoned round him the joyful tidings that "if he" (Mr. Cuthbert) "could interpret the signs of the times—and he thought he could—the influence of Saurin and his party was gone for ever."

But, to return to Mr. Shaw—the decision of the Chancellor was against him, but he was quickly consoled for the disappointment. The Recordership of Dublin becoming vacant, he had the good fortune to be elected to the office. The public were at first dissatisfied with the selection—chiefly, however, because it had fallen upon so juvenile a person; but it is only justice to Mr. Shaw to state that he has proved himself perfectly competent to the discharge of the judicial functions that were thus rather prematurely cast upon him. As the Recorder of Dublin, he is an assiduous and excellent public officer. I would further say that this is the very office for which he is peculiarly adapted. He performs the substantial duties efficiently, and wants not the leading ornamental requisites for those matters of municipal ceremony in which he is called upon, *virtute officii*, to bear a prominent part. His aspect may still be over-youthful; in fact, when he appears at a civic festival attired in his legal costume, his smooth and pallid face and rather feminine features present a strong similitude to Portia in the scene where she holds a brief against Shylock; but ample compensation for this deficiency (if it be one) is made in the proportions of his frame, which possess all the necessary corporate massiveness and rotundity for the scenic business of a Lord Mayor's day. I have seen him perform on such occasions with much effect, and with the bearing of an actor that liked his part. As the Recorder of an ancient and loyal corporation, Mr. Frederick Shaw is just where he ought to be. He has no unseemly contempt for pageantry; and, for

city purposes, is a most discreet and emphatic orator. He can descant, with suitable amplitude of phrase, upon the sanctity of chartered rights, and can deliver the prescriptive lecture to an incoming Lord-Mayor, upon his civic responsibilities, in terms of the most stately and appropriate commonplace. To such duties he is equal, and not above them.—I pass on to the other candidates.

Sir Robert Harty is a citizen of Dublin, who has risen by his industry to considerable affluence. In the corporation, of which he has long been one of the most influential members, he has been noted for his attachment to liberal principles. He is the brother-in-law of Alderman M'Kenny, who in his year of mayoralty (1819) had the courage to convene a general meeting of the Protestants of Dublin, to petition in favor of Catholic Emancipation. Sir Robert Harty's civic career has been marked by an official act—less conspicuous, it is true, but of similar boldness. When the Roman Catholic delegates were prosecuted by the Government in 1812, he was one of the Sheriffs of Dublin, and empanelled an impartial jury for their trial. This gave great offence, and both in and out of the corporation the honest Sheriff had much to endure for having done his duty; but he has fortunately lived to find that sentence of condemnation in those times now forms one of his most valid titles to public confidence. So great was the imagined strength of the corporation of Dublin, that for some days Sir Robert Harty was the solitary candidate upon reform principles. More than one of the commercial body of Dublin, though strongly urged by the popular party to become his colleague had declined. The bar was then resorted to. A union of the most important qualifications was found in Mr. Perrin, who, after repeated solicitations, consented to give the public the use of his name and character for the advancement of the great imperial measure.

Mr. Perrin was called to the bar in 1806. There was nothing sudden or brilliant in his ascent to professional distinction. He was patient and persevering; and in his deportment, whether in or out of court, simple and unobtrusive. Even after the extension of his character for learning and ability had

brought him into full practice, there was so little forensic display in his manner—what he said upon each occasion was always so much to the purpose, and consequently so short and direct—that a stranger to his professional repute would have principally inferred, from the frequency of his appearances in court, that he was already high among the most eminent counsel of his day.*

Mr. Perrin is, I believe, universally admitted to be the best common-law lawyer of the Irish bar. It is probably to be attributed in some degree to early accidents that his studies and practice should have been exclusively confined to this department; but I apprehend that an original peculiarity of his mind had also much to do in keeping him out of the courts of equity. I have heard it related of him that, from the commencement of his legal studies, he felt a deep and unconquerable distaste to equity-pleading—to that system under which, as a matter of ordinary routine, fifty false charges may be made against a miserable defendant on the chance of eliciting a single truth, and under which the same defendant, if knavishly disposed, and aided by a dexterous pleader, may resort to as many devices to evade a direct and intelligible reply. I can easily conceive that a mind like Mr. Perrin's, always seeking accuracy of thought and brevity of expression, should have turned with disgust from the farrago of long-winded fictions, and endless repetitions, and wordy superfluities, which form the staple of Chancery pleadings; but whatever the motive, he has, almost from the outset of his career, confined himself to the common-law courts; among them the King's Bench has been the principal theatre of his exertions. Assiduous application and long experience have rendered him familiar with all the great branches of the law that are brought into discussion before that tribunal; and, to an intimate knowledge of his subject, he unites logical powers of the highest order. His diction, though clear and vigorous, is not always fluent; but the occa-

* Louis Perrin, one of the most able and honest of the Irish bar, was promoted, in due course, when the Liberal party were in power, and is now (January, 1854) third judge of the Court of Queen's Bench, Ireland. In Parliament he was a useful and laborious, rather than an oratorical member.—M.

sional tardiness of phrase to which I allude, and which detracts little from the force or effect of his reasonings, appears to be very much the result of acquired habits of mastery over the most important operations of his mind. If he sometimes pauses for a moment, it is not that he is in want of matter or of words, but that he is determined and able to retain and exercise a control over both; it is that, even while his mind is hurrying along a rapid chain of reasoning, he still preserves the power of arresting a thought in its progress from conception to expression, and of ascertaining its fitness for his purpose before he allows it irrevocably to pass his lips; and the result of the enforcement of this inward discipline is, that, though his language may be rendered less continuous, his argument is sure of being better for the delay. If Mr. Perrin could consent to be a less cautious and accurate reasoner, he would, I am satisfied, become at once a more fluent speaker; but he reasons everything, abhorring all flashy declamation, and guided by a special instinct against the use of words for talking-sake.

Having thus shortly referred to Mr. Perrin's professional qualifications, I need hardly add that he has for many years commanded the leading business of the Court of King's Bench. Among the cases constantly occurring on the criminal side of that court, there is one class in which he appears to have established a sort of personal property (for he is never omitted): I allude to appeals from convictions by magistrates under penal statutes, particularly those relating to the customs and excise. In such cases the offending party has usually a twofold chance of escape—in the blunders of the legislator, and in those of the convicting magistrates. The leaning of the court is always to uphold such convictions; but Mr. Perrin, with his sagacity, and pertinacious logic, and adroit application of authorities that bear, or appear to bear, upon the point, seldom fails to demonstrate to the full satisfaction of every mind in court (except perhaps his own) that something, in substance or in form, has been wanting to legalize the proceedings from which his clients have appealed.

The subject-matter of such discussions is in general devoid of popular interest; but they sometimes acquire from incidental

circumstances no small degree of scenic effect. I remember, for instance, to have seen some years since one of the side-galleries of the Court of King's Bench occupied by an entire ship's crew of Dutch smugglers, brought up, under writs of *habeas corpus*, from one of the prisons on the southern coast of Ireland; and while Mr. Perrin, as their counsel, was moving that they should be discharged from illegal custody, and pressing the court with arguments and cases, it was curious to observe his weather-beaten clients, with their bluff figures and contraband visages, how intently they looked on as their fate was debated in (to them) an unknown tongue, and with what a singular promptness they appeared to discover, from mere external signs—from the looks and gestures of the Judges or the auditors—that their counsel was making way with the court. Their deliverance, I recollect, was effected; and if they and the hundreds of others of their trade and country, whom Mr. Perrin has similarly rescued from an Irish prison, have any gratitude, his must be a well-known and popular name in the Dutch ports.

Mr. Perrin's professional eminence was not his sole ground of claim to the honor of representing the city of Dublin in Parliament: he had a further and stronger recommendation to the public confidence in the vigor and integrity of his personal character. The political principles which he avows have now, in the circle of events, become the reigning doctrine of the day, and the merit may be small of professing such principles at the present moment. Mr. Perrin's praise is, that what he now is, he has always been; that under circumstances the most adverse to professional advancement, he entered into no compromise between his interests and opinions, but in every stage of his progress asserted himself and the dignity of his profession by an erect and independent bearing; he did so in a temper and spirit the most remote from faction, but he met with little mercy. He had incurred the virtue of public spirit, and was marked for discouragement—even the poor distinction of a silk-gown was delayed until Lord Manners's last general levee of King's counsel; and even then it was understood that Mr. Perrin would have been designedly omitted, had not the Lord

Chief-Justice, to whose better spirit what is just and manly is always familiar, peremptorily interposed his authority, as the head of the common-law bar, against an act of such unworthy partisanship.

I fear that I am trespassing on the ground of the "Sketches of the Irish Bar;" but, as I have gone so far,* let me say a word of Mr. Perrin's personal appearance. It is not so remarkable as to attract examination; but when you examine it, you find its unostentatious simplicity to be strikingly accordant with his mind and character. His figure is about the middle size, and slightly approaching to corpulence. He has black hair, a dark complexion, and regular Roman features. Though no one has a quicker perception of mirth, or enjoys it more heartily, the habitual expression of his countenance is graveness, even perhaps to a touch of sadness; the latter, however,

* Mr. Perrin was worthy of a distinct place in these "Sketches," for few lawyers had so much to contend with, on account of particular family circumstances (of no interest to the public), which, for a time clouded his prospects. The touch of sadness upon his countenance was caused, I doubt not, by the misconduct of a near relative, which met with exemplary punishment from the law. The Irish attorneys, among whom this person had once been enrolled, considered it hard that an innocent man should suffer, from a sort of reflected cloud, and generously showed their sympathy, by throwing as much business into Mr. Perrin's hands as they safely could. In a short time, proving equal to the labor, his great ability obtained, as a right, that practice which, at first had been conceded as a favor. In customs and excise cases, he was unapproached, almost from the first.—As I am on a legal question, and have arrived at the close of this work, let me add, in reference to the conviction of John Scanlan, at Limerick, in 1820, for murder on the Shannon (as detailed in the sketch called "An Irish Circuit," in the first volume), that Mr. Sheil treating of the facts, and Gerald Griffin, working them up into romantic fiction, strangely omitted two strong points. The first, as to *motive*. Sullivan confessed to Scanlan's desire to get rid, by murder, of the poor young creature whom he had seduced (by mock marriage), "because she kept calling him her husband." The second, showing the *malice prepense*, was that the crime was delayed until Scanlan had purchased a boat, in which the victim was to be carried out of sight of land, and there "done to death," and until a blacksmith had made a chain and collar to tie round her neck, attached to a heavy stone, to sink the body. I have read the report of the trial, since I annotated Mr. Sheil's detail of facts, but only in time to put the statement into this place.—At this last moment, too, I perceive that the Marchioness Wellesley (the heroine of the Dublin Tabinet Ball, Vol. i.) died at Hampton Court Palace, near London, on December 17, 1853.—M.

I apprehend to be nothing more than the mere trace of the laborious occupations in which his life has been passed. On the whole, I would say of his exterior, including face, and form, and apparel, that it was individualized by a certain republican homeliness, intimating a natural, careless manliness of taste, and not without its peculiar dignity.

I intended, when I sat down, to have entered upon some of the details of the Dublin election and its sequel; but the subject, I find, would carry me too far: let me therefore for the present merely say that, after an obstinate struggle, the corporation, that cumbrous excrescence upon our institutions, was fairly prostrated, and the popular candidates returned. The triumph was celebrated with all due rites and solemnities. I witnessed the chairing from a window in Grafton street. The sun shone brightly on the procession as it passed—but not more brightly than the countenance of our venerable and patriotic veteran, Mr. Peter Burrowes, who had taken his station at an opposite balcony, and looked down (as his friend Louis Perrin was wafted along) with a smile of joyous and ineffable thanksgiving, that he had been spared to see that day.

INDEX.

Abduction, Trials for, i., 42
Abercrombie, James, Speaker of the Commons, ii., 207 ; Sinecurist, Peer, and Pensioner, 225
Abinger, Lord (See Sir James Scarlett).
Acres, The Fifteen, ii., 166
Adelaide, Queen, and the Melbourne Ministry, ii., 209
Affidavit, Oratory of the, i., 72
Agrarian Disturbances, Causes of, ii., 71
"All Ireland, Member for," i., 257
"All the Talents," in Office, i., 240; can not carry Catholic Emancipation, 367
American compared with English and Irish Bar, i., 272
American Marchioness (Wellesley), i., 333; ii., 365
Amherst, Lord, his Embassy to China, i., 183; ii., 385
Anglesey, Marquis of, encourages Irish Agitation, i., 387; Memoir of, ii., 255
Antidote, The, Sir Harcourt Lees' Journal, i., 349
Anti-Tithe *Emeute* in Limerick, i., 229
Appeals, heard by the Peers, i., 175
Approvers, Irish, i., 23; ii., 54
Argyle, Duke of, ii., 347
Aristocracy, Irish Catholic, i., 365; join Catholic Association, 380
Assistant-Barristers, Duties of, i., 67; as County Judges, ii., 100
Assizes, at Limerick, i., 151; at Wexford, i., 287; at Clonmel, ii., 14
Associations, Catholic, their History, i., 359
Attorney and Barrister, different Status of, i., 28
Attorneys, how admitted to the Bar, i., 29
Author's Introduction, i., 1
Avocat, a French, i., 195
Avonmore, Lord (Barry Yelverton), Notice of, i., 25; Friendship for Curran, 303
Ball, the Dublin Tabinet, i., 328
Bar, Calamities of the, i., 186
—— Costume in Ireland, ii., 1
—— Catholics excluded from the, i., 90
—— License of the, i., 277
—— American compared with the English and Irish, i., 272
—— Catholic, ii., 75
—— French, i., 194
—— Irish, i., 62; Qualifications for 65; Discipline for, 66; Independence of, 68
—— Precedence at the, ii., 98; Training for the, 156
Bar-Mess, Mock Trials before, i., 27
Bar Travelling, Etiquette of, i., 21
Barrington, Sir Jonah, Notice of, i. 247; at Dublin Election, 270; Scene with Lord Norbury, ii., 7
Barrister and Attorney, different Status of, i., 28
Barrister, Confessions of a Junior, ii., 154
Barristers, Irish, Term Dinners in London, ii., 156
Barry, Sir Charles, Architect, i., 254
Beaconsfield, Goold's Visit to, i., 242
Beauty, Irish, at Tabinet Ball, i., 331
Bedford, Duke of, Irish Viceroy, i., 159
Bell, Jocky, Notice of, ii., 350
Bellamy's, i., 158; Scene at, ii., 251
Bellew, Sir Edward, ii., 92
Bellew, William, Catholic Barrister, ii., 92; Admission, 93; Demeanor, 94; extensive Practice, 96; Pension, 98; Religious Profession and Practice, 104; Scene in the Rolls Court with, 105; Promotion, 354

Beresfords, the, i., 242
Best, Chief-Justice (Lord Wynford), i., 278
Bethel, Counsellor 'of the Half-Crown,' ii., 113
Bexley, Lord, Notice of, ii., 352
Bianconi, Charles, his Mode of Travelling, i., 287
Bible-Teaching, O'Connell on, i., 223
Blackburne, Lord-Chancellor, an Anti-Catholic, ii., 120; his Demeanor, 126; his early Anti-Curran Manifestation, 128; Progress at the Bar, 129, Sits as Judge under the Insurrection Act, 130; his Promotions, 133
Blake, Anthony Richard, i., 79; a Catholic Privy Councillor, ii., 78; Education Commissioner, 260
Blarney-Stone, the, i., 63
Boomfield, Lord, Notice of, i., 388
Bolster's Magazine of Ireland, i., 12
Bottle-Riot, the, i., 266; Trial for, 279
Boulter, Primate, i., 360; ii., 88
Brady, Maziere, Lord-Chancellor of Ireland, ii., 134
Bridge of Wexford, Massacre on the, i., 297
Brinkley, Bishop, the Astronomer, i., 330
Bristol, Earl of (Bishop of Derry), Notice of, i., 234; Anecdote of, 386
Bristol, Marquis of, ii., 348
Bristol, Reform Riots in, ii., 210
Brougham, Henry, entraps Peel, ii., 34; his Chancery Reform, 97; Memoir of, 208; his Person, 209; his Eloquence, 210; Reply to Peel, 214; Dinner to Catholic Deputation, 216; his Conversation, 217; his Levee as Lord-Chancellor, 339; his Promotion, 343; Residence, Costume, and Visitors, 344
Brummell, and the Duke of Leinster, i., 344
Brunswick Clubs, ii., 315
Buckland, Dr., Oxford Professor, ii., 341
Buggins, Lady Cecilia (Duchess of Inverness), ii., 219
Bulls, Irish (*vide* Sir Boyle Roche), ii., 10; Rationale of, 11
Bulwer, Sir E. Lytton, Satire on Sir J. Scarlett, ii., 37
Burdett, Sir Francis, Notice of, ii., 203; his Attire, 205
Burke, Edmund, Memoir of, i, 238
Burrowes, Peter—his Absence of Mind, i., 127; as an Advocate, 127; Notice of, ii., 124; Plunket's Character of, 125
Burton, Judge, Notice of, i., 273; at Clonmel Assizes, ii., 137
Bushe, Chief-Justice, Sketch of, i., 121; Descent, 122; Early Eloquence, 123; an Anti-Unionist, 128; Promotion, 132; as an Orator, 133; Conversation and Eloquence, 135; Brougham's high Opinion of, 143; his Wit, 144
——Memoir of, i., 146; Elevation to the Bench, 149; redeems his Family Estate, 299; at Wexford Assizes, 299; reforms Abuses on Circuit, 302; pleads against Catholic Committee, 377; Epigrams by, ii., 213
Butler, Charles, ii., 91; Memoir of, 197
Butler, Mr. Augustine, at Clare Election, ii., 279
Butler, Sir Theobald, ii., 79; Capitulation and Treaty of Limerick, 80; pleads in Parliament against its Violation, 82; Argument against the Penal Code, 83; Death, Character, and Epitaph, 87
Byron, Lady, ii., 348
Byron, Lord, Opinion of Sheridan, i., 138; Monody on Sheridan, 139; on Reversal of Lord E. Fitzgerald's Attainder, 345; on Royal Visit, 379; on Mrs. Wilmot Horton, ii., 103; Opinion of Curran, 127; on Lord Anglesey, 256
Calamities of the Bar, i., 186: Scene in Chancery, 190; Life of an Eminent Lawyer, 196; Henry MacDougall, 200; Pomposo, 203; Lord Avonmore and the Monks of the Screw, 206; Norcott, the Renegade, Story of, 210
Callaghan, Daniel and Gerald, ii., 76
Callanan, Jeremiah, Irish Poet, i., 13
Calvin, John, burns Servetus, i., 167
Camden, Lord-Chancellor, Notice of, i., 104; his Independence, ii., 112
Camden, Marquis, a Model Sinecurist, ii., 329
Campbell, Lord, Plunket's *bon-mot* upon, i., 117; his Irish Chancellorship, 119; as Chief-Justice, ii., 340
Campbell, Thomas, the Poet, i., 12
Canning, George, his Career, i., 322
Canterbury, Archbishop of, ii., 344

Canterbury, Viscount (see Manners Sutton)
Carding in Tipperary, i., 71
Carleton, Lord Chief-Justice, ii., 19
Carnarvon, Earl of, ii., 346
Caroline, Queen, her Counsel, i., 264; Bribed Witnesses at her Trial, ii., 35
Carroll, Father, of Wexford, Trial of, i., 304
Castle, the, i., 160
Castlereagh, Lord (Marquis of Londonderry), Notice of, i., 131; how he carried the Union, 248
Catherine, Queen, Trial of, i., 91
Catholic Aristocracy, their Support of the Union, ii., 98
—— Association founded, i., 379
—— Bar, ii., 76; Sir Theobald Butler and the Treaty of Limerick, 79; Catholics excluded from the Bar, 90; admitted, 91; Bellew, 93; Union obtained on False Pretences, 98; Scene in Court, 105
—— Board, the, i., 133
—— Deputation, ii., 192; Visit to Dr. Milner, 195; arrive in London, 202; attend Debate in House of Commons. 207; Dinner at Brougham's, 216; Public Meeting in London, 220; Dinner at Norfolk House, 224
—— Emancipation, opposed by George III., and supported by his Ministers, i., 367; carried by Wellington, ii., 266
—— Leaders and Associations, i., 359; Penal Laws, 361; Keogh's Leadership, 363; Denis Scully, 370; O'Connell, 372; Royal Visit, 377; Catholic Association founded, 379; supported by the Catholic Priesthood and Aristocracy, 381
—— Irish, Existence of acknowledged, i., 362
—— Magistrates, ii., 178
—— Meetings, i., 281, and ii., 220
—— Politics in 1825, ii., 192
—— Relief Bill, ii., 302
Cazales, Opinion of Burke, i., 238
Chadwick, Mr., Murder of, ii., 42
Chambers, Sir William, i., 330
Chancery, Court of, ii., 96; Delays in, 97; Reform of, 97
Chantrey, Sir Francis, Sculptor, i., 332;
Charlemont, Earl of, brings Plunket into Irish Parliament, i., 99
Chesterfield, Earl of, Irish Viceroy, ii., 88
Cheyne, Dr. John, Notice of, i., 198
Chiefs, on the Bench, i., 176
China, Embassies to, i., 183
Circuit Abuses, Reform of, i., 302
Circuit, the, North Wales, i., 26; Munster, 35; Leinster, 287
Circuit, Mock-Trials on, i., 27
Circuits, the Law, i., 19
Clanricarde, Marquis of, ii., 352
Clare Election, ii., 265; Vesey Fitzgerald opposed, 266; O'Connell takes the Field, 270; Nomination, 287; Candidates' Speeches, 289; Incidents in the Election, 295; O'Connell elected, 302
Clare, Lord-Chancellor, Notice of, i., 67; his Flippancy, 228
Clerk, Lord Eldin, Anecdote of, i., 188
Clergy, Catholic and Protestant, i., 308
Clive, Lord, Royal Gift to, i., 153
Clogher, deposed Bishop of, i., 290
Cloncurry, Lord, Notice of, i., 147; suspected of Disaffection, ii., 15
Clonmel, Lord, Notice of, i., 151
Clonmel Assizes, ii., 41: Murder of Mr. Chadwick, 42; Murder of Daniel Mara, 47; Earl of Kingston, 48; an Approver, 54; the Keoghs, 61; Crime in Tipperary, 66; Arthur Young on Whiteboyism, 67; the Penal Code, 69; Policy of Conciliation, 74
Cobbett, John Morgan, ii., 319
Cobbett, William, sued and cast by Plunket, i., 102; his History of the Protestant Reformation, ii., 198; his Career, 319; at Penenden Heath, 320; Resemblance to Sir Walter Scott, 321
Cockle, Mr. Sergeant, his Half-Fee, ii., 114
Coif, Dignity of the, i., 174
Coke, T. W., of Norfolk (Earl of Leicester), ii., 221
Colclough, Cæsar, Epigram on, ii., 214
"Collegians, The," Origin of, i., 42
Colles, Surgeon, Notice of, i., 198
Colonels, the Three, O'Connell's Epigram on, i., 257
Combermere, Lord, consulted by Lord Norbury, ii., 37
"Comical Miscreant," Cobbett so called by O'Connell, i., 284
Commons, Irish House of, i., 130
Commons, Nobility in the, ii., 251
Compensation to Irish Boroughmongers, i., 249

Confederation, the Irish, i., 11
Confessions of a Junior Barrister, ii., 155: Training for the Bar, 156; Speech at Aggregate Meeting, 158; a Lawyer in Love, 162; a Double Confidant, 165; the Gain of Godliness, 166; hope deferred, 167; dancing into Practice, 170
Connaught, serving Writs in, i., 70
Conyngham, Marchioness of, a Royal Favorite, i., 378
Cooper, C. P., of Chancery Bar, edits Brougham's Judgments, ii., 345
Copley, Sir John (see Lord Lyndhurst)
County Judges, Irish, ii., 100
"Cork Mercantile Chronicle," i., 12
Cork-screw, Sheil and the, i., 13
Cornwallis, Lord, ii., 98
Corporation of Dublin and Lord Manners, ii., 181
Coulin, Singing of the, i., 296
Counsel for Prisoners, ii., 51
Counsellor, Title of, i., 29
Court, Inns of, i., 28
Coutts, Thomas, his Wealth, ii., 203
Crampton, Judge, Notice of, i., 314
Crampton, Sir Philip, ii., 96
Cranworth, Lord-Chancellor, an Anti-Law-Reformer, ii., 97
Cove of Cork, Name changed, i., 22
Cowley, Curran's happy Quotation from, i., 303
Croker, John Wilson, i., 213
Croly, satirizes "The Tenth" in a Comedy, i., 355
Crotty, Dr., Pres. of Maynooth, i., 383
Cronan, Larry, Trial of, i., 33
Cumberland, Duke of (King of Hanover), Grand-Master of the Orangemen, i., 290; heads the Brunswickers, ii., 315
Curran, John Philpot, Anecdotes of, i., 63; Varied Powers 67; Defence of the Sheareses, 99; his Opinion of Charles Phillips, 124; Description of Lord Downes, 177; with Monks of the Screw, 207; with Lord Avonmore and a Dublin Jury, 275; Reconciliation with Lord Avonmore, 303; his Irish Grave, 354; *bon-mot* on Lord Norbury, ii., 7; his Career, 127; described by Byron and Phillips, 128; Description of Peel, 211; his Conversation, 216
Curran, William Henry, writes his Father's Life, ii., 128
Curtis, Archbishop, Notice of, ii., 386, Correspondence with the Duke of Wellington, 388
Cutting and Maiming, Ellenborough's Act against, i. 34
Darnley, Earl of, ii., 317
Dawson, Alexander, at Louth Election, ii., 235
Dawson, George Robert, ii., 32
Day, Judge, at Killarney, i., 301
Denman, Lord Chief-Justice, his Independence, ii., 112; his Career, 253
Derangement of the Mind, Dr. Cheyne on, i., 199
Derry, Bishop of (Earl of Bristol), i., 234
D'Esterre, Duel with O'Connell, i., 76
D'Este, Sir Augustus, ii., 219
D'Este, Mademoiselle, now Lady Truro, ii., 219
"Devil," the Judge's, i., 228
Devonshire, Duke of, ii., 217
Devonshire, Georgiana, Duchess of, ii., 327
Dickens, Charles, Original of his Editor Pott, ii., 258
Dinner-Bell, the *soubriquet* of Edmund Burke, i., 239
Disraeli, Benjamin, his Character of J. W. Croker, i., 214
Dock, Irish Criminal, i., 31
Doctors of Civil Law, Practice of, i., 174
Doherty, Chief-Justice, the late, i., 311; Promotion, 313; Parliamentary Contest with O'Connell, 325; made Chief Justice, 325; Official Qualifications, 326; prosecutes the Murderers of Daniel Mara, ii., 47; his Promotion resisted by Lord Manners, 181
Doneraile Conspiracy, i., 325
Donoughmore, Earls of, i., 371
Donnybrook Fair, Decline and Fall of, i., 23
Downes, Lord, i., 176; described by Curran, 177; Vice-Chancellor of Trinity College, 290
Downing Street, London—*locale* of Government Offices, i., 254
Doyle, Doctor, Bishop of Kildare and Leighlin, i., 318; joins Catholic Association, 381; Memoir of, 382
Doyle, Sir John, Anecdotes of, i., 123
Drumgoole, Doctor, a Catholic Leader, i., 374
Dublin Castle, i., 160

Dublin Election, in 1803, i., 270; in 1831, ii., 357
"Dublin Evening Mail," ii., 176
"Dublin Evening Post," i. 354; prosecuted by Government, 372
Dublin, Four Courts in i., 58
Dublin, State of Parties in, ii., 354
Dublin Tabinet Ball, i., 328; Origin of, 329; Beauty at, 331; Lord and Lady Wellesley at, 335; Sir Harcourt Lees at, 340; Duke and Duchess of Leinster at, 350; the Younger Grattan at, 352; Officers of "The Tenth" at, 355; Miss O'Connell at, 357
Dublin Theatre, "Bottle Riot," i., 266, 279
"Dublin University Magazine" on Plunket and Emmett, i., 103
"Dublin Warder," i., 340
"Dublin Weekly Register," ii., 118
Dudley, Sir Henry Bate, i., 294
Duelling in Dublin, i., 69; at the Bar, 153; Lord Norbury's, ii., 6; Extinction of, 268
Duffy, Mr., Editor of "The Nation," ii., 118
Duigenan, Dr., Notice of, i., 78
Dumferline, Lord (see Abercrombie).
Dunleary, Name changed to Kingston, i., 80
Durham, Earl of, ii., 218
Dying Declarations of Criminals, i., 55
Edgeworth, Miss, the Irish Novelist, i., 91
"Edinburgh Review," Macaulay a Contributor to, i., 213; how founded, ii., 346
Education in Ireland, i., 221; too proselyting, 223
Eldin, Lord, Anecdote of, i., 188
Eldon, Lord, his Career, i., 104; Anecdote of, 188; his Chancery Delays, ii., 97
Elections, Duration of, ii., 293
Elective Franchise granted to the Catholics, i., 368
Ellenborough, Lord, his Act, i., 34; Partisanship on Hone's Trial, ii., 112
Ellis, Master in Chancery, M. P. for Dublin, i., 261; how elected, 352
Eloquence, Character of O'Connell's, i., 221
Elrington, Bishop, i., 287; suppresses the Historical Society, and denounces Books of Necromancy, 290
Embassies to China, Cost of, i., 183
Emmett, Robert, Trial and Defence of, i., 100; Plunket's Speech against, 101; Reproof to Lord Norbury, ii., 15
Emmett, Temple, his brief Career, i., 100
Emmett, Thomas Addis, Notice of, i., 100
England and Ireland compared, ii., 200
England, Bishop, ii., 213
English Judicature, i., 174
English Law in Ireland, i., 58
Equity Judges, ii., 97
Errol, Earl of, ii., 347
Erskine, Lord-Chancellor, i., 139
Esmonde, Sir Thomas, ii., 196
Ex-Chancellors, hear Appeals as Law-Lords, i., 175
Executions in Ireland, i., 53
Falstaff, a Legal (Bumbo Green), ii., 109
Farnham, Lord, ii., 351
Fauntleroy, Henry, Doubts of his Execution, i., 57
Fees, Lawyers', i., 19; Anecdotes of, ii., 114
Fermoy, Magistrates at, ii., 178
"Fighting Fitzgerald," ii., 6
Fingal, Earl of, i., 373; Notice of, ii., 102; Chairman of Aggregate Meeting, 158
Fitzgerald, the Approver, ii., 54
Fitzgerald, Lord Edward, i., 344; Memoir of, 345
Fitzgerald, Sir Augustus, ii., 289
Fitzgerald, Prime Sergeant, his Nationality and Death, ii., 290
Fitzgerald, W. Vesey (Lord Fitzgerald and Vesci), opposed at Clare Election, ii., 266; Notice of, 271; Hustings Speech at Clare, 290; Defeat, 302
Fitzgibbon (Earl of Clare), Notice of, i., 67
Fitzgibbon, Mr., and the Small Fee, ii., 114
Fitzherbert, Mrs., and George IV., ii., 35
Fitzpatrick, General, on Burke, i., 239
Fitzwilliam, Earl, Notice of, i., 240; at Norfolk House, ii., 226
Fletcher, Mr. Justice, ii., 29; his angry Vibrations, 30
Flood, Sir Frederick, ii., 7
Flood, Henry, in the British Parliament, i., 113

Follet, Sir William, on Lawyers' Practice, i., 188
Foote, Maria, Marriage with the Earl of Harrington, i., 350
Foreign Titles held by British Subjects, i., 331
Fortescue, Mr., Defeat of, at Louth, 248
Foster, John Leslie, at Louth Election, ii., 236; the Nomination, 241; in Parliament, 250; Incidents of his Life, 254; his Appointments, 260; On Education Inquiry, 260; Counsel to Customs and Excise, a Job, 264
Four Courts, Dublin, i., 18, and 58
Fox, Charles James, Death of, i., 323; his Career, ii., 228
Francis, Sir Philip, on Burke's Pension, i., 239
Freeman, Henry Deane, Assistant Barrister, ii., 100
Freemasons' Hall, Catholic Meeting in, ii., 220
Free Trade, Peel's System of, ii., 215
French Bar, the, i., 194
French, Counsellor, ii., 323
French, Lord, Description of, i., 373
Fuller, Jack, a Parliamentary Joker, ii., 7
Gallantry, Criminal, i., 40
George III., his Present to Lord Clive, i., 153; opposes Catholic Emancipation, i., 367
George IV., Visit to Ireland, i., 18; retains Anti-Catholic Ministers, 371; Reception in Ireland, 377; Byron's Satire upon, 379
Geraldines, Heir of the, i., 343
German Prince, Tour of a, ii., 291
Gifford, John, denounced by Grattan, i., 270
Gladstone, William Ewart, at Oxford, ii., 193
Glascot, Toby, an Election Candidate, ii., 263
"Glorious, pious, and immortal Memory," ii., 132
Godwin, William, Notice of, ii., 122
Goldsmith, Oliver, his Description of Burke, i., 239
Gould, Mr. Sergeant, Sketch of, an Admirable Crichton, i., 232; his Extravagance, 233; goes to the Bar, 235; his Advancement, 242; Nisi-Prius Practice, 242; his inordinate Vanity, 243; Influence with Juries, 244; charged with Prevarication before Limerick Election Committee, 250; defended by Grattan, 251
Gordon, Duchess of, i., 212
Gore, Mr., the Cromwellian, ii, 291
Goulburn, Henry, Notice of, i., 95; defends Saurin's Letter, ii., 36
Gorman, William, and "The Burning of the Sheas," ii., 138
Gormanstown, Lord, joins the Catholic Association, i., 380; Notice of, ii., 102
Grace, Patrick, Trial of, ii., 44
Grady, Harry Deane, i., 26; his Jury-Eye, 141; his Cross-Examination, ii., 22
Grattan, Henry, Notice of, i., 114; Moore's Lines on, 115; his Opinion of Burke, 238; of Goold's Integrity, 251; his later Unpopularity, 270; last Public Appearance, 282; Burial-place, 354; his Conversation, ii., 216
Grattan, Henry junior, i., 352; at Tabinet Ball, 355
Green, Bumbo, ii., 108
Gregory, Dr. Tighe, ii., 183
Gregory, Under Secretary, ii., 36; out of Office, 356
Grenville, Lord, and Catholic Emancipation, i., 367
Grey, Earl, Memoir of, ii., 227; his Aristocratic Pride, 229
Grey, List, the, ii., 227
Griffin, Gerald, Irish Novelist, Origin of his "Collegians," i., 42; his Omissions, ii., 365
Grimaldi, Joseph, the Pantomimist, ii., 32
Guillamore, Viscount (see O'Grady).
Gurney, Sir John, "the Hanging-Judge," ii., 340
Hamilton, Gerard, Opinion of Burke i., 238
Hanlon, Ellen, Murder of, i., 42
"Hannibals, the Father of the," i., 102
Hardwicke, Lord-Chancellor, i., 104; Notice of, 317
Hardwicke, Earl of, his Viceroyalty, i., 370
Harlowe, G. H., the Painter, Notice of, i., 91
Harrington, Dowager-Countess of (Maria Foote, the Actress), i., 350
Harrington, Earls of, i., 350
Hart, Sir Anthony, Chancellor of Ireland, ii., 174; on the Bench, 359

Harty Sir Robert, Lord-Mayor of Dublin, ii., 357
Hatherton, Lady, Beauty of, i., 332
Harvey, Bagenal, Execution of, i., 192
Henchy, Peter Fitzgibbon, ii., 121
Hertford, Lady, her "Fatal Witchery" of George IV., i., 371
Hervey, Lord, Pope's Satire on, i., 234
Hessians, the, in Ireland, i., 155
Hill, Sir George, and Wolfe Tone, ii., 31
Hincks, Francis, his Education, ii., 48
Historical Society, Dublin, i., 123; Bushe's Speech in, 124; School of Oratory, 253; suppressed by Provost Elrington, 290
Hogan, Matthew, Mr. Sheil's Speech on, ii., 150
Hohenloe, Prince, reputed Miracles by, i., 310
Holmes, Robert, Father of the Irish Bar, i., 313
Holycross, Abbey of, ii., 44
Honors, English, held by Irish Peers, i., 159
Hope, Mr., and Lord Norbury, i., 170
Hope, Thomas, Author of "Anastatius," i., 211
Horton, Sir Robert, Wilmot, ii., 104
Huguenots in Ireland, i., 167
Hume, Joseph, Notice of, ii., 217
Hunt, Henry, Notice of, ii., 322
Hussey, Peter Bodkin, a Catholic Leader, i., 376
Hutchinson, Provost, and his Family, i., 371
Informers, Curran on, i., 24
Inglis, Sir Robert Harry, his Intolerance, ii., 193
Innoshowen, why so called, i., 70
Inns of Court, i., 28
Ireland, Education in, i., 221
—— South of, i., 20
—— Travelling in, i., 21
"—— Young," i., 369
Irish Bar, Independence of, i., 68; Father of the, 313
"Irish Blackguard," Origin of, i., 308
Irish Circuit, an, i., 19
—— Confederation formed, i., 11
—— Deputies, Napoleon on, ii., 206
—— Judges, Character of, ii., 112
—— Judicature, i., 174
—— Peers, in the British Parliament, i., 159
—— Roads, ii., 181
Irish Sabbath, i., 290
—— Volunteers, i., 363
J. K. L., Signature of Dr. Doyle, i., 318
Jackson, Devonshire, an Irish Judge, ii., 76
Jackson, Rev. William, his Death, and Refusal to escape, ii., 235
Jail-Delivery, i., 33
Jeffrey, Lord, Notice of, ii., 346
Jesuits and Lord Manners, ii., 187
Jocelyn, Percy, Deposed Bishop of Clogher, i., 290
Jocelyn, Viscount, ii., 237
Johnson, Dr., Opinion of Burke, i., 238
Johnston ("Bitter Bob") and Plunket, i., 113
Johnson, Judge Robert, convicted of Libel, i., 303
Johnson, Mr. Justice William, at Wexford Assizes, i., 299; Antipathy to Lord Norbury, ii., 30
Jones, John Gale, Notice of, ii., 156
Joy, Chief-Baron, i., 170: his Tory Politics, 173; Promotion as Solicitor-General, 179; Legal Ability, 180; Scientific Pursuits, 181; as Chief-Baron, 185
—— Memoir of, i., 170
—— Valedictory to Lord Manners, ii., 157
Judges, Equity, Number of, ii., 57
Judges' Salaries, Pensions, and Life-Appointments, i., 175, and ii., 111
Partisanship in Ireland, 112
Judge's "Devil," i., 228
Judicature in Great Britain and Ireland, i., 174; System of, ii., 111
Jury, Curran and a Dublin, i., 274
"Juverna," Letters of, by Judge R. Johnson; prosecuted as libellous, 303
Keller, Jerry, i., 207; *Bon-mots*, 208
Kenmare, Lord, i., 380; Notice of, ii., 102
Kenny, Rev. Mr., Provincial of the Jesuits, ii., 262
Kent, Chancellor, and Thomas Addis Emmett, i., 100
Kent County Meeting, ii., 315
Kentish Men, ii., 316
"Kent, Men of," ii., 316
Keogh, John, a Catholic Leader, i., 363; his Career, 366; opposed by O'Connell, 368
Keoghs, Trial of the, ii., 61
Kildare Street Association, i., 220; Meetings, 223

Killarney, Lakes of, i., 301
Killeen, Lord, a Catholic Leader, i., 380; Notice of, ii., 102
Kilmurry, the Seat of Charles Kendal Bushe, i., 300
Kilwarden, Lord, killed by Mistake for Lord Carleton, ii., 19
King, Sir Abraham Bradley, ii., 183
King, Dr. William, Archbishop of Dublin, ii., 77
King's Counsel, Privileges of, i., 320; Partisanship in appointing, i., 321
Kingsborough, Viscount, his "Antiquities of Mexico," ii., 49
Kingston, Earl of, ii., 48
Kirwan, Mr., Prosecution of, i, 377
Knatchbull, Sir Edward, ii., 335
Ko-tou, Chinese Ceremony of, i., 183
Lacy, Patrick, Trial of, ii., 47
Ladies in Court, i., 40
Latouche, J. D., Banker in Dublin, i., 94
Law-Lords in Parliament, i., 175
Law Reforms, by Peel, i., 327; by Brougham, ii., 97
Lawless, "Honest Jack," ii., 276
Laws, Penal, extended, i., 361; relaxed, 362
Lawyer, Life of an Eminent, i., 196; a Saintly, 217; a Perfect, 311; in Love, ii., 162
Lawyers, the Yelverton, i., 205
Leaders, Catholic, Sketch of, i., 359
Lees, Sir Harcourt, Memoir of, i., 340; his Person and Attire, 341; at the Tabinet Ball, 342
Lefroy, Chief-Justice, i., 216: a Saintly Lawyer, 217; Kildare-Street Meetings, 223; in Court of Chancery, 226; Merit as an Advocate, 227; his Promotion, 229
Legal Cavalcade, i., 27
Leicester, Earl of (Thomas W. Coke), ii., 211
Leinster Circuit, i., 287; Bushe's Attachment to, 301
Leinster, Duchess of, i., 350
Leinster, Duke of, Notice of, i., 343; Want of Nationality, 347; his Pursuits, 349
Leinster, Mount, in Wexford, i., 295
Leopold, Prince, a Serene Highness, ii., 27
Lethbridge, Sir Thomas, ii., 262
"L'Etoile," a Parisian Journal, Mr. Sheil's Contributions to, ii., 83
Liberators, Order of, ii., 286
License of the Bar, i., 277
Life-Appointment of Judges, i., 175
Liffey, a Dip in the, i., 63
Limerick Assizes, i., 51; Special Commission, 229
Limerick, Treaty of, ii., 80; British Violation of, 81
Liston, John, the Comedian, i., 343
Liverpool, Earl of, an Incompetent Prime Minister, i., 322; opposes Emancipation, ii., 206
Locke, John, his Treatise on Government excluded from Dublin University Course, i., 254
Londonderry, Marquis of (Castlereagh), i., 131
Long Orchard, the Burial-place of Mr. Sheil, i., 11
Lord-Chancellor's Salary and Pension, i., 175
Lords, House of, highest Court of Judicature, i., 175
Louth Election in 1826, ii., 236
Lundifoot, the Dublin Tobacconist, i., 308
Lyndhurst, Lord-Chancellor, ii., 340
Macartney, Lord, his Embassy to China, i., 183
M'Cleary, David, ii., 183
M'Cleland, Judge, Forbearance on Emmett's Trial, i., 103
M'Cormick, Toby, and Lord Norbury, ii., 25
MacDonnell, Æneas, conducts a Catholic Journal, i., 370; Account of, ii., 202
MacDonald, Sir A., Use of Epithets in Parliament, ii., 292
"MacDougall of the Roar," i., 200
M'Dowall's Statue of Sir M. O'Loghlin, ii., 116
M'Kenny, Sir Thomas, presides at the Dublin Catholic Meeting, i., 281
Mackenzie, Dr. Shelton, Memoir of Sheil by, i., 5; Notes by, *passim*.
Mackintosh, Sir James, on Plunket, i., 111
M'Mahon, Mr., a Pauper Barrister, i., 91
MacMahon, Sir William, Master of the Rolls, ii., 105; Dispute with Sir Anthony Hart, ii., 358
M'Namara, Major, ii., 267; his Character, 268
MacNally, Leonard, and his Book, ii. 295

Magee, John, Editor of the "Dublin Evening Post," i., 372
Magee, Dr. William, Archbishop of Dublin, i., 288; officiates at Lord Wellesley's Marriage, 335; compared with Archbishop King, ii., 77
Magrath, Counsellor, great Length of, i., 155; Moore's Question to, 156
Maguire, Rev. Thomas, ii., 277; Memoir of, 278; at Clare Election, 279
Mahon, O'Gorman, ii., 269; Notice of, 274; wears the Order of Liberators' Sash and Medal, 285; proposes O'Connell at Clare, 289
Mahony, Darby, and Lord Norbury, ii., 17
Manners, Lord, his Family Connections, i., 191; Judicial Inefficiency, 315; Partisanship, 320; retires from Office, ii. 5
—— Sketch of, ii., 172
—— Takes Leave of Irish Bar, 172
—— Joy's Valedictory to, 175
—— Sheil's Opinion of, 177
Manners Testimonial, ii., 185
Mara Family, the Conspiracy against, ii., 46
Mara, Daniel, Trial of his Murderers, ii., 47
Mara, Philip, Witness on a Murder-Trial ii., 44
Marriage out of the Dock, i., 41
Marriages, Catholic, ii., 95
Martin, of Connemara, i., 166; his Successors, 166
Martin, Mrs. Bell, her Death in New York, i., 166
Martin, Richard, of the English and Irish Bar, ii., 100
Maturin, his Opinion of Mrs. Siddons, ii., 218
Mayne, Judge, and Jerry Keller, i., 208; his imposing Gravity, ii., 27
Maynooth, College of, i., 221
Meagher, Thomas Francis, i., 369
Mellon, Harriet, her Husbands and Wealth, ii., 203
"Member for all Ireland," i., 257
Messiah of Royalty, Byron's, i., 379
Metropolitan Magazine, i., 14; Sketches from, ii., 340 and 354
Milbanke, Sir John Peneston, ii., 348
Milbourne-Port, Borough of, represented by Mr. North and Mr. Sheil, i., 255
Mills, Harry, at Louth Election, ii., 243
Milner, Bishop, Visit to, ii., 195
Mind, Dr. Cheyne on Derangement of the, i., 199
Mitchel, John, Irish Patriot, i., 369; Editor of "The United Irishman," ii., 118
Monks of the Screw, their Charter-Song, i., 206
Monomania, Father Carroll's, i., 305; fatal Effects of, 307
Monster Meetings, ii., 280
Moore, George Ogle, a Candidate at Dublin, ii., 357
Moore, Judge, ii., 31; at Clonmel Assizes, 48; his Character, 123
Moore, Thomas, on Captain Rock, i., 39; on Sheridan, 138; on Richard Martin, 166; his Birth, 208; on Spencer Perceval, 289; where born, 296; on Duke of York, ii., 207; on Lord Anglesey, 250; on Wellington, 308
Morgan, Lady, i., 351
"Morning Chronicle," London Newspaper, i., 39
Mornington, Countess of, Mother of four Peers, i., 336
Mornington, Earl of, i., 95
Mountain-Dew, i., 70
Mountain-Peasantry in Court, i., 30
Murder on the Shannon, i., 42
Munster Circuit, i., 35
Murphy, Father, of Corofin, ii., 281; his Speech in Irish, 282; his Vigilance, 302
Murray, Dr., Archbishop of Dublin, i., 387
Murray, Lady Augusta, ii., 219
Muskau, Prince Puckler, on O'Connell, ii., 291
Napoleon on Chinese Embassy, i., 183; retains Napper Tandy, ii., 9; Opinion of Irish Deputies, 206
"Nation, The," Dublin Repeal Journal, ii., 118
National Debt, how increased, i., 240
National Education in Ireland, i., 221
"New Monthly Magazine," i., 12
Nisi-Prius Practice, i., 29
Nobility in House of Commons, ii., 251
Norbury, Lord, Sketch of, ii., 5:—called to the Bar, 7; fights his Way on, 9; as Solicitor-General, 13; Cruelty in the Sheareses Case, 14; Harshness to Robert Emmett, 15; Judicial Brutality, 17; Buffo Scenes in his

Court, 21; his Jests, 26; violent Ascendency Politics; the Saurin Letter, 33; Negotiations for Resignation, 36; Consulting a Friend in India, 37; his Library, 39
Norcott, the Barrister, turns Mohammedan, i., 214; his Fate, 215
Norfolk, Duke of, ii., 220
Norfolk House, Dinner at, ii., 224
NORTH, JOHN H., Admiralty Judge, Sketch of, i., 252: his Career, 252; Bar Progress, 256; comparative Failure as a Senator, 261; his Exterior, 262; Political Neutrality, 263; Dublin Theatre "Bottle Riot," 266; at Louth Election, ii., 241
Norton, Sir Fletcher, Abuse of, ii., 292
Nugent, Lord, satirized by Canning, ii., 208; Notice of, 352
O'Brien, Sir Edward, at Clare Election, ii., 280
O'Brien, William Smith, Memoir of, ii., 287; his Penal Exile, 288
O'CONNELL, DANIEL, his Success with Juries, i., 35; Sketch of, i., 73; his Versatility, 74; Memoir of, 75; his Property, 77; Merits as a Lawyer, 78; a Tribune of the People, 81; Demeanor in Court, 82; Defence of Criminals, 86; Duel with D'Esterre, 89; after Clare Election, 90; On Circuit, and as a Public Speaker, 93; in Parliament, 94—and before the Privy Council, 95
—— Patent of Precedency to, i., 174
—— At Kildare-Street Meeting, 223
—— Versatility as a Speaker, 257; Entrance into Wexford, 297; Parliamentary Contest, Mr. Doherty, 325; Entrance into Public Life, 368; his Struggles, "within the Law," for Emancipation and Repeal, 369; on the King's Visit, drinks the Orange Charter Toast, 378; founds the Catholic Association, 379; his Manner of Speaking in Public, 381; his Costume at the Assizes, ii., 107
—— At Aggregate Meeting, ii., 159
—— En Route to London, ii., 194
—— Visits Dr. Milner, ii., 196; visits the House of Commons, ii., 207
—— Challenged by Peel, ii., 213
—— Bushe's Epigram on, ii., 213
—— Character of his Eloquence, ii., 221; Speech in Freemasons' Hall, 221; baffles the Reporters by a Speech in Irish, 280; a Man of the People 291; Elected for Clare, 302; and Re-Election, 303
O'Connell, Maurice, Death of, i., 77
O'Connell, Miss, at the Tabinet Ball, i., 357
O'Gorman, Nicholas Purcel, Keller's Retort to, i., 209: his Habiliments, ii., 120: Visit to London, 207; appointed Cursitor, 355
O'Grady, Chief-Baron (Lord Guillamore), i., 135; Anecdotes of, ii., 113
O'Hanlon, Mr., Speech by, ii., 223
O'Leary, Joseph, Irish Lyrist, i., 13
O'Loghlin, Sir Coleman, Irish Barrister, ii., 116
O'LOGHLIN, SIR MICHAEL (Master of the Rolls), Sketch of: Person, Deportment, and Descent, ii., 106; Circuit Costume, 107; his Mastery of "Practice," 111; Memoir of, 116; his Promotions, 116; his Danish Ancestor, 117; Statue of, in the Four Courts, ii., 116
O'Meagher, J. B., Paris Correspondent of "The Times," i., 13
Orange Toast, ii., 132
Oratory, Specimen of Forensic, ii., 157
O'Regan, Counsellor, his Life of J. P. Curran, ii., 128
Oriel, Lord, Notice of, ii., 248
Ormsby, Sir Charles, and Mr. Sergeant Goold, i., 241
Oxford University, Representation, ii., 193
Palmer, Lady, Interview with, ii., 88
Parliamentary Billingsgate, ii., 292
Parliamentary Reform, when carried, ii., 227
Patent of Precedency, i., 174
Peel, Sir Robert: his Business Habits and Law Reforms, i., 327; defends the Saurin Letter, ii., 34; defends Lord Norbury, 37; his Early Distinctions, 193; described by Curran, 241; Attack on Hamilton Rowan, 211; his Oratory and Appearance, 212; his Challenge to O'Connell, 213; Memoir of, 215
Peer, Cost of making a, ii., 249
Peerage of Ireland, degraded by the Union, i., 159
Penal Laws, Extension of, i., 361; Operation of, ii., 69; first Link of, 80; denounced by Sir T. Butler, 83 Enactments of, 87

Penenden Heath Meeting, ii., 315: The Gathering, 316; the Peers and the People, 318; William Cobbett, 319; Henry Hunt, 322; Lord Winchilsea and the Brunswickers, 325; Sheil's Unspoken Speech, 334
Pennefather, Edward, Chief-Justice, i., 188
Pennefather, Richard, Baron of Exchequer, i., 188
Perceval, Spencer, Notice of, ii., 289
Perjury, instant Punishment of, i., 33
Perrin, Judge, Notice of, i., 313; Character as a Lawyer, ii., 362; Private History, 364; in Parliament, 365
Peterloo Massacre, denounced by Lord Fitzwilliam, i., 240
Phillips, Charles, Irish Orator, Memoir of, i., 124
Phœnix Park, Dublin, ii., 166
Physiology of Race in Ireland, i., 166
Pic-nic in the Woods of Wexford, i., 295
Pitt, William, and Catholic Emancipation, i., 367
Plowden, Francis, the Irish Historian, ii., 187
Plunket, Lord-Chancellor, Sketch of, i., 98; defends the Sheareses, i., 99; opposes the Union, 99; accused of unnecessary Harshness to Robert Emmett, 101; Defence by Phillips, 102; great Chancery Practice, 103; Rationale of his Pleading, 105; not a Case-Lawyer, 106; his Rhetoric, 107; Description by Phillips, 109; his Style, 110; Brougham's Opinion of, 113; Success in Parliament, 113; Advocacy of Catholic Emancipation, 114; Anti-Union Orations, 116; his *bon-mots*, 117; Memoir of, 119
Plunket, Margaret, and the Duke of Rutland, i., 190
Pollock, Sir Frederick, ii., 340
Pomposo, Counsellor, i., 203
Ponsonby, George, Lord-Chancellor of Ireland, i., 129; Lord Norbury's Attacks on, ii., 12; on Admission of Catholic Barristers, 91
Pope, Alexander, Satire on Lord Hervey, i., 234
Potheen, why so called, i., 70
Pre-Audience at the Bar, ii., 98
Precedency, Patent of, i., 174
Prendergast, Mr., Registrar in Chancery, i., 189
Price, Dr., Notice of i., 236
Priests, Exertions of the, at Clare Election, ii., 284
Priestley, Dr., Notice of, i., 237
"Prince's Mixture," i., 308
Prisoners, Counsel for, ii., 51
Prisoners' Gratitude, Anecdotes of i. 37
Process-Servers, how treated, i., 71
Protestant Ascendency, Cause of Crime ii., 71; what it means, 76
Protestant Reformation, Cobbett's History of, ii., 198
Protestant Reformation Society, ii., 199
Puisne Judges, i., 176
Qualification of Members, ii., 274
"Quarterly Review," by whom established, i., 213
Queen's Counsel (see King's Counsel), how appointed—Precedency—Numbers—Advantages—and Silk-Gowns, i., 174
Quotations, Apt, i., 257
Races, Characteristics of, in Ireland, i., 166
Radcliffe, Dr., fees Himself, i., 136
Radnor, Earl of, ii., 318
Raglan, Lord, Cost of his Patent of Peerage ii., 249
Rathdown, Lord, in Character, ii., 191
Rebellion of 1798, i., 154
Redesdale, Lord-Chancellor, i., 227; his Successor, 228
Reflections on the French Revolution, by Burke, Royal Appreciation of, i., 239
Reform, Parliamentary, when carried, ii., 227
Regency, Burke's Advocacy of, i., 239
Renegade, Fate of Norcott, the, i., 215
Rent, the Catholic, ii., 292
Repeal of the Union, O'Connell's Agitation for, i., 369
Results of Clare Election, ii., 266
Retiring Pensions of the Judges, i., 175
Revolution in Ireland, Attempt at, i., 11
Riding-House in Dublin, Tortures inflicted in, ii., 22
Roche, Sir Boyle, his Bulls, ii., 10
Rock, Captain Lines on by Moore, i., 39
Rockingham, Marquis of brings Burke inta Parliament, i., 239
Roden, Earl of, ii., 237
Romilly, Sir Samuel, Notice of, i., 103
Rosse, Earls of, ii., 33

Rotunda in Dublin, Public Meeting in, i., 281; Tabinet Ball in, i., 330
Rowan, Archibald Hamilton, attacked by Peel, ii., 211; described, 230; his Exile, and Pardon, 231; his Manly Appearance, 232; Escape from Prison, 233; Asylum in America, 235
Royal Visits to Ireland: by Queen Victoria, i., 22; by George IV., i., 377
Russell, Lord John, and Relief of Dissenters' Civil Disabilities, ii., 265
Rutland, Duke of, Viceroy of Ireland, i., 190
Saints, the Dublin, i., 322
Saints, Ireland the Island of, ii., 197
Saints, the, in Parliament, ii., 359
St. Leonards, Lord-Chancellor (Sugden), i., 204
St. Omer, O'Connell educated at, i., 223
St. Patrick's Hall, in Dublin Castle, ii., 220
Salamanca, Irish Disputants at, described in "Gil Blas," i., 376
Salaries of the Judges, i., 175
Sarsfield, "the Gallant" Defender of Limerick, ii., 80
Saturday Night, the Lawyer's Holyday, i., 206
Saurin, Attorney-General, i., 150: Huguenot Descent, 150; Business-Habits, 153; opposes the Union, 157; made Attorney-General, 160; Influence with Lord-Chancellor Manners, 160; opposes the Catholic Claims, 161; refuses the Chief-Justiceship, is taken at his Word, and loses Office, 163; Deportment and Aspect, 164; Skill as an Advocate, 168; Distaste for Literature, 169
—— Injudicious Letter to Lord Norbury, ii., 33—a Bar to his Promotion, 35; Lord Manners' Friendship for, 173; rebuffed by Sir A. Hart, 238
Scanlan, John, Trial of for Murder, i., 51; Conviction and Execution, 54; Popular Belief of his Escape, 57; Motive and Malice prepense of his Crime ii., 365
Scarlett, Sir James (Lord Abinger), Notice of, ii., 36; at Brougham's Dinner, 219; at Brougham's Levee, 348
Scott, Sir Walter, describes Castlereagh at the Coronation, ii., 118; his own Resemblance to Cobbett, 321
Scottish Judicature, i, 174
Screw, Monks of the, i., 206
Scriven, Barclay, Description of, ii., 122
Sergeants-at-Law, in England—their Standing and Precedence, i., 173
Sergeants-at-Law, in Ireland, appointed by the Crown, and their Precedence, i., 173
Shannon, Murder on the, i., 42; Motive of, ii., 365
Shaw, Frederick, ii., 358; appointed Recorder, 360
Shea, John Augustus, Irish poet, i., 13
Shearoses, John and Henry, Trial of, i., 98; legal Murder of, 99
Sheas, Burning of the, ii., 138; History of, 139; Trial for, 142; Sheil's Speech on, 149
Sheehans, Editors of Dublin "Evening Mail," ii., 176
Sheil, Richard Lalor, Memoir of, i., 5
Shelley, Mrs., Notice of, ii., 122
Sheridan, Dr., Prosecution of, i., 377
Sheridan, Richard Brinsley, Notice of, i., 138; Byron's and Moore's Opinion of, i., 138; his Address to the Prince, i., 371
Shifnal, Description of, ii., 201
Siddons, Mrs., Anecdotes of, ii., 218
Sidmouth, Viscount, Letter from, in the King's Name, i., 379; his Peerage, ii., 352
Silk-Gowns, by whom worn, i., 174; Partisan Disposal of, ii., 320
Singer, Dr. J. H., Bishop of Meath, ii., 77
Slaney, Scenery on the River, i., 214
Smith, Egerton (usually called "Bot Smith"), i., 258
Smith, S. Catersea Irish Artist, Portrait of Sheil by to face—i., 1
Smith, T. B. C., Master of the Rolls, ii., 114
Smith, Sir W. Cusack, Notice of, ii. 114
Smith, William, of Norwich, ii., 351
Smythe, Hon. Mr., a "Young England" Leader, ii., 257
Sorbonne Doctors, Attack on Bishop Doyle by, i., 383
Southey, Robert, his Opinion of Cobbett's pure English, ii., 319
Speculative Society of Edinburgh, i. 253
Stanhope, Colonel Leicester (Earl of Harrington), i., 350

State, Lord Wellesley's Viceregal, i., 337
STATE OF PARTIES IN DUBLIN: Mr. Bellew in "Silk Attire," ii., 354; O'Loghlin and O'Gorman promoted, 355; Dublin Election: Moore and Recorder Shaw versus Harty and Perrin, 357; Lord-Chancellor Hart, Mr. Saurin, and the Master of the Rolls, 359; Victory of the Liberals, 366
Staunton, Sir George, in the Embassy to China, i., 183
Steele, Thomas, ii., 269; sent to Clare, 270; Memoir of, 272; seconds Mr. O'Connell's Nomination, 289
Stephen's Green, Dublin, ii., 181
Sterne, Story of the Sword, i., 300
Stothard, Thos., and Chantrey's "Sleeping Children," i., 332
Stourton, Lord, a Catholic Peer, ii., 223
Strangford, Lord, ii., 257
Stuart, Villiers, defeats Lord George Beresford at Waterford, ii., 235
Stuff-Gown, worn by Utter or Outer Barristers, i., 174
Sullivan, Stephen, tried and convicted of Murder, i., 56; his Confession, 56
"Sun, The," London Newspaper, i., 9, and ii., 331
Sussex, Duke of, Memoir of, ii., 219
Sutton, Charles Manners (Viscount Canterbury), Speaker of the House of Commons, ii., 207; at Brougham's Levee, 350
Tabinet Ball, the Dublin, i, 328
Tandy, Napper, a United Irishman, ii., 9
Taylor, General Zachary, Wellington's Opinion of, ii., 309
"Tenth, The," Anecdotes of, i., 355
Terror, Irish Reign of, ii., 14
Test and Corporation Acts repealed, ii., 315
Teynham, Lord, ii., 333
Thurlow, Lord-Chancellor, i., 104; his Opinion of Burke, 238
"Times" Newspaper, Influence of, i., 39
Tinnahinch, Grattan's Seat, i., 115
Tipperary, Crime in, ii., 65; Antiquity and Causes of, 66
Toler, John (Earl of Norbury), ii., 5
Tone, Theobald Wolfe, i., 363; Secretary of the Catholics, 366; his Suicide, ii., 9; Scene with Sir George Hill, 31; his Eventful Career, 119
Torrens, Judge, ii., 31
Tower of London, ii., 205
Towers, Dr., Notice of, i., 236
Travelling in Ireland, i., 287
Trinity College, Dublin, i., 288
Trippier, the Parisian *Avocat*, i., 195
Troy, Dr., Archbishop of Dublin, i., 385, his Poverty, 386
Truro, Lord-Chancellor (Sir Thomas Wilde), large Fee to, i., 19; originally an Attorney, 29
Union Debating-Clubs at Oxford and Cambridge, i., 253
Union, the, opposed by Curran, Plunket, Fonsonby, Saurin, Burrowes, Bushe, and the Irish Bar generally, i., 129; Barrington's Historic Memoirs of, 246; how the Measure was carried, 248; opposed by O'Connell, 369; obtained on broken Promises, ii., 98
"United Irishman, the," edited by John Mitchel, ii., 118
Vallancey, General, the Antiquarian, ii., 260
"Vathek," Author of, i., 193
Verdicts, Strange, i., 26
Vestris, Madame, i., 343
Vice-Queen, an American, i., 332
Victoria, Queen, visits Ireland, i., 22
Vizard, William, Attorney to Queen Caroline, ii., 348
Voltaire, Notice of, i., 79
Volunteers, the Irish, i., 363
Walker's "Hibernian Magazine," ii., 178
WALLACE, THOMAS, i., 269; Promotion, 270; Liberal Opinions, 270; Intellectual Powers, and Appearance, 271; on Jury-Cases, 274; Fearlessness at the Bar, 276; Literary Taste, 285; in Parliament, 286
Walsh, John, tried at Clonmel Assizes, ii., 47
War, Four Years' Expenses of, ii., 341
Warren, Mr. Sergeant, i., 189
Waterford Election, ii., 235
Wellesley, Marquis, why made Irish Viceroy, i., 178; Bottle-Riot against, 266; his Marriage, 334; at Tabinet Ball, 335; Memoir of, 336; Assumption of Regal State by, 337
Wellesley, Marchioness, suggests the Tabinet Ball, i., 329; Memoir of, 332; her reputed Wealth, 334; her Person described, 338; Death of, ii., 365

Wellington, Duke of, Epigram on, i., 23; Letter to Archbishop Curtis, i., 387; his Career, ii., 308; imputed Want of Nationality, 309; at Lord Brougham's Levee, 345
Wetherell, Sir Charles, ii., 210
Wexford Assizes, Sketch of, i., 287; Trial of Father Carroll, 304
Wexford, old Monastery of, i., 290
—— Peasantry of, i., 292
—— Massacre on the Bridge of, i., 297
—— O'Connell's Entrance into, i., 298
Whiteboys, why so called, i., 39
Whiteboyism, how caused, ii., 67
Whitehall, London, Government Offices in, i., 254
Wigs, Lawyers', Differences in, i., 174
Wilde, Sir Thomas (Lord Truro), large Fee to, i., 19
Wilkins, Mr. Sergeant, Leader of the Northern Circuit in England, i., 174
William III., a Dutch Adventurer, i. 88
Willis, N. P., his "Pencillings by the Way," ii., 213
Wilson, Harriet, Notice of i. 348
Wilson, Sir Robert, ii., 347
Wilson, Sir T. M., High-Sheriff of Kent, ii., 326
Winchilsea, Earl of, ii., 325; his Kentish Speech, 331
Windele, John, Irish Antiquarian, i., 13
Windham, Opinion of Burke, i., 238
Wings, the, of Emancipation Bill, i., 7; what they were, ii., 276
Wolfe, Rev. Charles, an Orator in the Historical Society, i., 253
Wolfe, Chief-Baron, Carelessness of Attire, ii., 107; his Career, 119
Wolstoncroft, Mary, Author of "The Rights of Woman," ii., 122
Yelverton, Barry, his Career, i., 25; Friendship for Curran, 303
Yelverton, Lawyers, the, i., 205
York, Archbishop of, ii., 345
York, Duke of, Anti-Catholic Speech by, ii., 207
Young, Arthur, on Irish Crime, ii., 66
Young, Murdo, of "The Sun" Newspaper, ii., 331
"Young Ireland" Party formed, i., 369

THE END

Steel

Date Due

3297

BOSTON COLLEGE
3 9031 01210142 4